CALIFORNIA COASTAL COMMISSION
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W-8a

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Hearing Date: August 12, 1998
Item Number: W-8a

PERMIT AMENDMENT
STAFF RECOMMENDATION
REGULAR CALENDAR

APPLICATION FILE NO.: **E-96-14-A1**

APPLICANTS: **Mobil Exploration and Producing U. S., Inc.**
Rincon Island Limited Partnership

PROJECT DESCRIPTION: Amend permit to authorize a barge mounted crane to remove concrete and steel debris from the seafloor associated with the demolition of the Mobil Seacliff Pier Complex.

PROJECT LOCATION: State Leases PRC 427.1 (Ferguson Lease), 429.1 (Whitten Lease), and PRC 3125 (Needham Lease), in the Santa Barbara Channel, offshore Ventura County. (Exhibits 1-3)

SUBSTANTIVE FILE DOCUMENTS: See Appendix A

Synopsis

In December 1997, the Commission granted to Mobil Exploration and Producing U.S., Inc. and Rincon Island Limited Partnership (Mobil/Rincon) Coastal Development Permit (CDP) No. E-96-14 (Exhibit 6) for the demolition of a large, industrial pier complex constructed in the 1930's for offshore oil and gas production. Mobil/Rincon commenced work in early 1998 in accordance with the approved work plan. The work plan originally proposed by Mobil/Rincon and approved by the Commission did not involve the use of a work barge or any other marine vessels as all demolition work was proposed to be performed from the pier structures themselves.

Mobil/Rincon have removed about half of the pier structures at this time, including the Short Wharf and Pier, and the decking and pilings of about a third of the Whitten/Ferguson/Needham Pier (see Exhibits 3 and 4). However, due to the deteriorated condition of the pier structure, compounded by damage during the severe 1997/98 winter storm season, removal of the massive steel reinforced concrete caissons that supported the oil production wharves has proved to be problematic using equipment located on the piers. The piers are too unstable to safely support the weight of the caisson debris. Mobil/Rincon is concerned that continuation of the project under the original work plan to remove the debris from the pier deck will jeopardize worker safety and lead to significant project delays. Consequently, Mobil/Rincon is proposing to amend the permit to allow the use of a barge mounted crane and associated support vessels and equipment to complete the removal of the caisson debris.

To avoid potentially significant impacts to marine habitats resulting from the use of marine vessels in the nearshore environment, Mobil/Rincon conducted a marine biological survey of the project site and has proposed an anchoring plan and procedures designed to protect sensitive resources identified by the survey. In addition, the staff recommends special conditions prohibiting anchoring in the project area except in strict compliance with the anchoring plan and prohibiting vessels from operating in or transiting through kelp beds.

Recommendation

The staff believes that the proposed project, as conditioned, is consistent with Coastal Act policies and therefore recommends **approval** of the permit amendment. The staff recommends that the Commission add three new special conditions (**Special Conditions 11-13**) to the permit to address potential impacts to marine biological resources associated with the proposed operation and anchoring of marine vessels at the project site.

1.0 STAFF RECOMMENDATION

Approval With Conditions

The staff recommends conditional approval of the permit amendment application.

Motion:

I move that the Commission approve Coastal Development Permit Amendment Application No. E-96-14-A1, subject to the conditions specified in the staff recommendation dated July 24, 1998.

The staff recommends a YES vote. To pass the motion, a majority vote of the Commissioners present is required. Approval of the motion will result in the adoption of the following resolution and findings.

Resolution:

The Commission hereby **grants** Permit Amendment E-96-14-A1, subject to the conditions specified below, on the grounds that (1) as conditioned the development will conform with the provisions of Chapter 3 of the California Coastal Act and (2) will not cause any significant adverse environmental impacts within the meaning of the California Environmental Quality Act.

2.0 STANDARD CONDITIONS

See Appendix B.

3.0 SPECIAL CONDITIONS

Special Conditions 1 through 10 were required in Coastal Development Permit E-96-14 and remain fully in effect. These conditions are duplicated below. The Commission in granting this permit amendment also added Special Conditions 11 through 13 as follows:

Caisson Demolition

1. Mobil/Rincon shall fully comply with the mitigation measures described in the May 1997, Marine Wildlife Contingency Plan for the project and California Department of Fish and Game Explosives Permit No. EP-97-02, issued November 18, 1997.

Water Quality

2. Prior to discharge of excavated materials into the marine environment, the applicants shall submit to the executive director and the Central Coast Regional Water Quality Control Board test results that document that the materials are suitable for open-water disposal in accordance with all applicable state and federal standards. Any materials excavated for the removal of the pier pilings that are determined to be suitable for open-water disposal shall be discharged immediately adjacent to the excavation site as close to the sea floor as feasible in order to minimize turbidity.

3. Prior to commencement of work, Mobil/Rincon shall submit to the executive director a copy of an approved certification or certification waiver for the proposed project under Section 401 of the Clean Water Act from the Central Coast Regional Water Quality Control Board.

Public Access

4. In addition to the improvements specified in the project description that will be made to the existing pedestrian access tunnels, Mobil/Rincon shall clean and maintain the tunnels, and provide lighting within the tunnels for the duration of the project.

5. Prior to closure of the pier access road, Mobil/Rincon shall complete all improvements to the northern pedestrian access tunnel, including: (a) designation of the parking area for a

minimum of 15 cars; (b) construction of the stairway from the tunnel exit to the beach; (c) installation of signs directing people to the parking area and tunnel; and (d) installation of lighting.

6. Prior to closure of the pier access road, Mobil/Rincon shall submit to the executive director a copy of an approved CALTRANS encroachment permit authorizing the proposed temporary parking area at the northern pedestrian access tunnel for the duration of the project.

7. All improvements to the southern access tunnel shall be completed within 60 days of project commencement. The southern access tunnel shall be opened for public use as soon as safety considerations allow.

8. Prior to the commencement of project activities, Mobil/Rincon shall submit to the executive director evidence of final approval by the Ventura County Board of Supervisors of the Mobil Piers Management Plan for the Seacliff beach area. As further specified pursuant to the County's Mobil Piers Management Plan, the applicants shall repair the pier access road at the conclusion of the demolition project and shall leave in place a portion of each pier to be managed and maintained by the Ventura County General Services Agency.

Acoustic Monitoring

9. Prior to detonation of any explosive charge, the applicants shall submit to the executive director for review and approval an acoustic monitoring plan. The plan shall provide for the use of methods generally accepted in the field of acoustic monitoring to measure and report to the executive director the peak pressure of shock waves resulting from detonations associated with the demolition of: (1) one of the 8-foot-diameter caissons at the Short Wharf; and (2) the 22-foot-diameter caisson at the Whitten Wharf. For each monitored detonation, measurements shall be taken at a minimum of six (6) monitoring stations which shall include stations located: (1) one thousand (1,000) yards along shore; and (2) one thousand (1,000) yards cross shelf from the wave source.

Beach Profile Monitoring

10. Within 30 days of Commission approval of this permit, the applicants shall submit to the executive director for review and approval a beach profile monitoring plan. The plan shall provide for a five-year monitoring program of the beach profiles at the project site and shall include the following: (1) an overview of all available historic photographs and profiles from 1965 to present of the area that includes the 3,500-foot-long beach in the immediate vicinity of the pier complex; (2) location of eight profiles on the above-described beach; (3) established benchmarks which shall be used to reoccupy the eight identified profiles; (4) monthly monitoring of the profiles during the removal of the piers and for one year thereafter; (5) seasonal profiles measured in December, March, July, and

September thereafter to provide five full years of profile monitoring; and (6) annual aerial photographs of the non-winter beach, taken in conjunction with the March, July, or September seasonal profiles. Annual reports of the overall profiles shall be submitted to the executive director. The first year's report shall include the historic overview.

Anchoring Plan

11. All marine vessels shall anchor in accordance with the Final Anchoring Plan dated July 20, 1998 and the anchoring procedures described in the permit amendment application project description. If safety or other operational considerations prohibit anchor placement within a 5-foot-radius of the anchor locations defined by the anchoring plan, Mobil/Rincon shall suspend work until either: (a) conditions improve such that work can continue in accordance with the existing anchoring plan; or (b) Mobil/Rincon obtain an amendment to this permit.

Kelp Avoidance

12. All marine vessels are prohibited from operating in or transiting through kelp beds. Mobil/Rincon shall install marker buoys to delineate the kelp bed located immediately northwest of the piers and shall instruct vessel operators to avoid this area.

Term

13. The use of marine vessels for debris removal is authorized through April 30, 1999 only. Debris removal work requiring the use of marine vessels after this date shall require a new marine biological survey sufficient to determine if the distribution of kelp or other marine biota has changed such that vessel operation and/or anchoring may cause impacts to marine resources not identified in the permit amendment application. If the results of the new marine biological survey show no change in the potential project impacts to marine resources, then the Executive Director may extend this authorization for one year. If, however, the results of the survey show potential for new resource impacts, then Mobil/Rincon must obtain an amendment to the permit in order to proceed with the marine-based debris removal work.

4.0 FINDINGS AND DECLARATIONS

The Commission find and declares as follows:

4.1 Project Location

The Seacliff pier complex is located seven miles northwest of the City of Ventura, on approximately 233 acres of State tidelands including the adjacent beach, in Ventura County (Exhibit 1). The shoreline at the project site consists of a southwest facing, sandy beach, extending to a riprap revetment bordering Highway 101. Mobil/Rincon maintain an access road which passes beneath the highway to the site. The public uses the access road, which provides

the only vehicular access to the ocean side of Highway 101 at this location, for informal beach access.

4.2 Project Background

In December 1997, the Commission approved CDP No. E-96-14 for the demolition and removal of the Mobil Seacliff Pier Complex. The Seacliff (or Rincon) pier complex was constructed in the 1930's for the production of oil and gas from wells located on the offshore piers and wharves. The piers are also known by local residents as the "oil piers." Production from the piers ceased in 1993, and all wells are now plugged and abandoned. In late December 1997, Mobil/Rincon commenced work to remove the piers and wharves in accordance with CDP No. E-96-14.

The Seacliff pier complex consists of two piers: the Short Pier, and the Ferguson/ Needham/ Whitten Pier (Long Pier) (see Exhibits 2 and 3). The Short Pier is approximately 350 feet long, ending at a 75-foot-wide by 162-foot-long wharf (the Short Wharf). Eight abandoned wells are located on the Short Wharf.

The Long Pier is composed of the Main Pier and the Spur Pier. The 620-foot-long Spur Pier diverges from the Main Pier approximately 140 feet from the shoreline and terminates at the 75-foot-wide by 162-foot-long Spur Wharf. Eight abandoned wells are located on the Spur Wharf.

The Main Pier consists of three segments: the Ferguson Pier, the Needham Pier, and the Whitten Pier. The Ferguson Pier is defined as the approximately 1,300-foot-long portion of the Main Pier from the pier's base to the Ferguson Wharf. Sixteen abandoned wells are located on the Ferguson Wharf, which is 80 feet wide by 300 feet long.

The Needham Pier is approximately 700 feet long and extends from the Ferguson Wharf to the boundary of Lease PRC 3125. Six abandoned wells are located on the 60-foot-wide by 170-foot-long Needham Wharf.

The Whitten Pier extends an additional 400 feet and ends at the 57-foot-wide Whitten Wharf. The Whitten Pier and Wharf are the only portions of the facility operated by Rincon Island Limited Partnership. Eighteen wells are located on the Whitten Wharf, including three that are abandoned and fifteen that are in the process of abandonment. A 20-foot-diameter waste tank and piping to shore are located on the Whitten Pier and Wharf.

All of the wharves, except the Spur Wharf, are built on derrick foundations with steel reinforced concrete caissons. The Spur Wharf and the piers are supported on wooden and steel pilings. The piers and wharves have wood and asphalt decking and wood railings.

As originally proposed by the applicants and approved by the Commission, the demolition project was to be carried out entirely from the pier structures themselves and from the beach. The applicants did not therefore request authorization to use marine vessels for the pier removal project. Removal of the wooden pier decking and the steel and wooden pier pilings has proceeded pursuant to the approved work plan. Mobil/Rincon completed demolition of the Whitten Wharf

in May 1998, in accordance with the approved work plan, including demolition of the caissons using explosives. However, Mobil/Rincon's contractor has found that the piers are not structurally capable of supporting the operations necessary to remove the fractured pieces of the demolished concrete and steel caissons from the seafloor. The piers are too unstable to safely support the weight of the caisson debris and the crane needed to lift the debris without substantial reinforcement requiring the installation of new pilings and braces. The contractor has notified Mobil/Rincon that continuing with the approved work plan for the removal of the caisson debris using a crane mounted on the piers will result in potentially significant project delays and may jeopardize worker safety.

Steel members from the Whitten Wharf caissons remains partially intact, projecting above the water surface, creating a potential hazard to the public (see Exhibit 4). Seacliff beach is a popular surfing and jet ski area. Because Mobil/Rincon have continued to remove the pier decking and pilings of the Whitten Pier, the pier mounted crane can no longer reach the debris remaining from the piers. Thus, there does not appear to be a feasible alternative to a marine-based operation for the removal of the Whitten caisson debris at this point in the project.

Because the Short Wharf is located in water too shallow for a barge to operate, caisson debris removal could only be accomplished from the pier. However, because of its proximity to the shoreline, the Short Pier was more sound structurally than the other piers. Nevertheless, Mobil/Rincon was required to reinforce the Short Pier by driving new pilings in order to allow caisson debris removal to be carried-out from the pier. Demolition of the Short Pier and removal of all associated debris has been completed. The Spur Wharf is supported on pilings only. Because no heavy caisson debris will be associated with the demolition of the Spur Wharf, removal can be accomplished using equipment located on the pier structure in accordance with the original work plan.

4.3 Description of Proposed Amendment

The applicants are requesting a permit amendment to allow the use of marine-based equipment to remove steel and concrete debris remaining from the demolition the pier caissons that supported the Whitten, Needham, and Ferguson Wharves.

Mobil/Rincon have determined that removal of the caisson debris from the Whitten Wharf cannot be safely accomplished using pier based equipment. However, the Needham and Ferguson Wharves have not yet been demolished, and it may be feasible to retrieve debris from these wharves from the piers. As the demolition project continues, the applicants propose to re-evaluate the feasibility of removing the caisson debris from each of these wharves pursuant to the original work plan, and will only resort to the proposed marine-based operation if necessary. As stated above, caisson debris from the Short Wharf was removed from the Short Pier, and demolition of the Spur Wharf will not generate heavy concrete debris as it is supported only by wooden and steel pilings.

The proposed marine-based caisson debris removal operation will involve the use of four vessels, including: a derrick barge, a materials barge, a tug, and a utility boat. Material that cannot be removed using the pier-based crane will be retrieved with a crane mounted on the derrick barge. The debris will then be loaded onto the materials barge for removal from the site and disposal. The tug will be used to propel the barges. The utility boat will be used to set and retrieve anchors, provide crew transit and support and as a base for diver operations.

The applicants developed an anchoring plan designed to avoid significant impacts to marine resources resulting from work vessel anchoring. The anchoring plan provides for two derrick barge positions at the Whitten Wharf and one position each for the Needham and Ferguson Wharves. The derrick barge will be held in position at each location with a four point anchoring system. The anchors will not be repositioned for the two Whitten Wharf barge locations, but will be repositioned for each of the two other wharves. Thus, if it proves necessary to remove the caisson debris from both the Needham and Ferguson Wharves, there will be a total of twelve barge anchor positions (Exhibit 5). In addition to the barge anchor locations, there will be a temporary mooring using a single anchor further offshore of the work site for vessel tie-up as necessary. No additional anchors will be set for the materials barge, tug or utility boat. These vessels will moor alongside the derrick barge or use the temporary mooring.

4.4 Schedule

The demolition of the remaining caissons and removal of the resulting debris is expected to be completed in the fall of 1998.

4.5 Other Agency Approvals

4.5.1 State Lands Commission

On November 7, 1997, the State Lands Commission (SLC) adopted a Mitigated Negative Declaration and approved the project as originally proposed. SLC staff believes that the proposed project modifications will not cause additional adverse environmental impacts and do not therefore warrant further review under CEQA. This matter is scheduled for SLC review in late August 1998, following the scheduled Coastal Commission hearing for this permit amendment application.

Typically, the Coastal Commission does not consider coastal development permit applications prior to the granting of any required approvals from the SLC, which are a permit application filing requirement under the Commission's regulations (CCR § 13053.5(b)). Because the next SLC meeting is not scheduled until after the August 1998 Coastal Commission meeting, requiring SLC approval first would delay caisson debris removal operations until late September. Removal of the caisson debris from the Whitten Wharf as soon as possible is important in order to eliminate the public safety hazard created by the steel members remaining in the water column and above the surface (see Exhibit 4). Delays in the permitting process may increase the probability that the work will not be completed before the 98/99 winter storm season, in which case, barge operations would likely be suspended due to hazardous sea conditions until late spring or summer of 1999.

Therefore, in the interest of ensuring that the caisson debris is removed as soon as possible, Coastal Commission staff has agreed to waive the requirement of SLC approval prior to setting this permit amendment application for Coastal Commission consideration.

4.5.2 Ventura County Air Pollution Control District

The Ventura County Air Pollution Control District (APCD) is the local air district responsible for implementing federal and state air quality standards in the Seacliff area. The APCD has determined that no emissions offsets are required to mitigate the additional air quality impacts resulting from the proposed marine-based debris removal operations. However, Mobil/Rincon has agreed to voluntarily provide additional emission reduction credits, from the Ventura County Emissions Reduction Bank to offset the emissions that will be generated by the vessels and other equipment proposed to be used for the marine-based debris removal work.

4.5.3 U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers has indicated that the proposed use of marine-based equipment will not require modification to the permit granted by the Corps for the pier decommissioning project under Section 404 of the Clean Water Act and Section 10 of the River and Harbor Act.

4.6 Coastal Act Issues

4.6.1 Marine Resources

Coastal Act Section 30230 states:

> *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

The proposed project modifications will require anchoring of a crane barge and installation of a temporary mooring in the nearshore environment. These activities could potentially result in significant impacts to marine biological resources. For example, the movement of anchor cables during anchor deployment, recovery and vessel position adjustments or due to currents, wind or swell can damage kelp and other vegetation, hard bottom habitat, and encrusting organisms that the cables scrape or scythe through. Anchors and cables located in soft bottom areas may scar the seafloor and disturb sedimentary biota. Mobil/Rincon indicates that once the anchors are placed and tensioned, the cables may swing approximately 10 feet vertically and horizontally. Also, vessels operating within or transiting through kelp beds can damage this habitat.

The applicants conducted a side scan sonar survey of the project site in May 1998 *(Fugro 1998)*. The sonar survey charted seafloor features in the project area, showing substrate type, kelp and

debris. The survey shows substantial hard bottom areas around the piers. The closest kelp bed is approximately 600 feet from the piers. The applicants designed an anchoring plan based on the results of the sonar survey to avoid impacts to hard bottom areas. All proposed anchor locations are on sedimentary bottom.

In response to Commission staff concerns, the applicants conducted a marine biological diver survey in July 1998 to provide more detailed information of the resources located within areas potentially affected by vessel anchoring *(de Wit 1998)*. That survey focused on hard bottom habitat and encrusting organisms, kelp and other marine vegetation, sand dollar beds, and dense beds of tube worms, sea pens, sea pansies, or other sedimentary biota within the areas that will be impacted by anchors and anchor cables.

The diver survey revealed that the areas potentially impacted by the anchors and anchor cables are comprised primarily of sedimentary bottom that supports a relatively sparse benthic community. The area is subject to significant sediment movement and is populated primarily by short-lived species that are adapted to frequent disturbance. However, some high relief rocky areas above the scour line are present in the project area that support a more diverse community, including the longer-lived sea fan (*Muricea spp.*) Most of the sea fans were found on the south sides of rocks 1.5 to 3 feet above the seafloor. The largest individuals observed were approximately one-foot in height. Sea fans appear to be common in the project area.

The diver survey found that cables for two of the 12 proposed anchor locations could impact sea fans and other encrusting organisms attached to high relief rock features. The applicants revised the proposed anchoring plan to relocate one of the anchors (anchor location 26) 50 feet to the north in order to avoid such impacts. However, anchor location 20, which supports two separate barge positions, cannot be feasibly relocated in a manner that would avoid potential resource impacts due to anchor cables coming in contact with high relief rocky habitat. The applicants' marine biological consultant estimates that if the cable for anchor location 20 comes in contact with the south side of the high relief rocky habitat, a maximum of about 10 sea fans could be destroyed by the cable.

As noted above, sea fans are relatively long-lived organisms. Natural replacement of 10 large sea fans destroyed by the project is uncertain and would likely take several years. Nevertheless, sea fans are common in the project area, and the loss of 10 individuals would not significantly affect the local population of this species. Therefore, the potential loss of 10 sea fans is not considered to be a significant environmental impact.

The sidescan sonar survey identified a kelp bed located approximately 500 feet north of the closest anchor location. The diver survey included an investigation of this kelp bed as well as an assessment of whether any other kelp habitats could be affected by the proposed use of a barge for caisson debris removal. The diver survey did not identify any kelp habitat in areas potentially affected by anchoring. Thus, the only potential impacts to kelp would be if anchors were set far outside of the areas shown on the anchoring plan or if vessels transit through kelp beds in the

project area. Therefore, **Special Condition 11** prohibits anchoring in the project area except in strict compliance with the proposed anchoring plan, and **Special Condition 12** prohibits vessels from operating in or transiting through any kelp beds and requires the applicants to delineate the kelp bed to the north of the project site with buoys to facilitate avoidance.

The distribution and abundance of Giant kelp (*Macrocystis pyrifera)* and the other major kelp species of the Ventura County coast can vary significantly from year to year. As shown by the sonar and marine biological surveys, kelp abundance is currently low in the project area, as it is along most of the coast, due to the warm ocean temperatures and severe winter storms associated with the 97/98 El Nino condition. Historically, however, the project area has supported more extensive kelp beds. Because the El Nino conditions have now subsided, it is likely that during the spring 1999 recruitment season kelp will begin to repopulate hard substrate areas cleared in 97/98. Thus, the findings of the surveys performed for this permit amendment application in May and July 1998 may not accurately represent the distribution of kelp once the next spring recruitment season begins. The anchoring plan could not at that point reliably assure avoidance of kelp impacts.

Only if the caisson debris removal is completed prior to the commencement of the 1999 kelp recruitment season, will the survey results from May and July 1998 be valid for the purpose of avoiding impacts to marine biological resources. Therefore, **Special Condition 13** specifies that the use of marine vessels under the permit amendment is authorized only until April 30, 1999. Debris removal work requiring the use of marine vessels after this date shall require a new marine biological survey sufficient to determine if the distribution of kelp or other marine biota has changed such that vessel operation and/or anchoring may cause impacts to marine resources not identified in this permit amendment application. If the results of the new marine biological survey show no change in the potential project impacts to marine resources, then the Executive Director may extend this authorization for one year. If, however, the results of the survey show potential for new resource impacts, then Mobil/Rincon must obtain an amendment to the permit in order to proceed with the marine-based debris removal work.

Conclusion

Although the modified project may potentially impact sea fans and kelp, the applicants have included measures to minimize impacts to marine organisms. With the inclusion of these measures, and as conditioned herein, the Commission finds that the proposed project will be carried out in a manner that will maintain optimum populations of marine organisms in conformance with Coastal Act Section 30230.

4.6.2 Air Quality

Coastal Act Section 30253(3) states:

> *New development shall be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.*

Mobil/Rincon projected total emissions for the originally permitted project at 14.85 tons NO_X. The proposed use of marine vessels and associated equipment will increase project emissions by 1.81 tons NO_X. The air quality of Ventura County is regulated by the California Air Resources Board (CARB) and the Ventura County Air Pollution Control District (APCD). In accordance with its *Guidelines for the Preparation of Air Quality Impact Analyses,* the APCD determined that the emissions generated by the project are not significant. In accordance with California Health and Safety Code Section 42301.13, the project is exempt from emissions offset requirements because it involves the demolition of a stationary emissions source.

However, Mobil/Rincon agreed to voluntarily provide emission reduction credits, at a 1:1 ratio, from the Ventura County Emissions Reduction Bank and to implement standard emission control procedures. Mobil/Rincon will lease additional emission reduction credits to offset the increased project emissions.

Because it includes appropriate air pollution control measures and mitigations, and is consistent with the requirements imposed by the Ventura County APCD, the Commission finds the proposed project amendment consistent with Coastal Act Section 30253(3).

4.7 California Environmental Quality Act

Section 13096 of the Commission's administrative regulations requires Commission approval of CDP applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of the CEQA prohibits approval of a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant impacts that the activity may have on the environment.

As "lead agency" under the CEQA, the State Lands Commission (SLC) certified Mitigated Negative Declaration ND680 for the demolition of the Seacliff Pier Complex on November 7, 1997, determining that the project will not result in any significant adverse environmental impacts within the meaning of the CEQA. The negative declaration did not address the use of marine vessels for the removal of caisson debris. However, the SLC staff believes that the proposed project modifications do not warrant further review under CEQA. This matter is scheduled for SLC review in late August 1998, following the scheduled Coastal Commission hearing for this permit amendment application.

The amended project as conditioned herein represents the least environmentally damaging feasible alternative and includes mitigation measures to avoid or lessen adverse environmental impacts to the maximum extent feasible. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with the resource protection policies of the Coastal Act and with the CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

California Coastal Commission, Adopted Findings for Coastal Development Permit No. E-96-14 (Mobil/Rincon Seacliff Pier Complex Decommissioning), December 11, 1997.

California State Lands Commission, Mitigated Negative Declaration ND680, Ferguson Pier Complex Decommissioning Program, November 7, 1997.

_____, Oil and Gas Leases PRC 427.1, PRC 429.1, and PRC 3125.

de Wit 1998, Marine Habitats and Biological Resources In the Area of Proposed Barge Anchoring Offshore Ventura County, California, L.A. de Wit, Revised and Finalized July 20, 1998.

Fugro 1998, Sidescan Sonar and Bathymetry Survey for Mobil Pier Complex Abandonment Project, Fugro West, Inc., May 29, 1998.

APPENDIX B

STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the executive director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

Seacliff Pier Complex Abandonment Project
Execution Plan

PROJECT SITE LOCATION

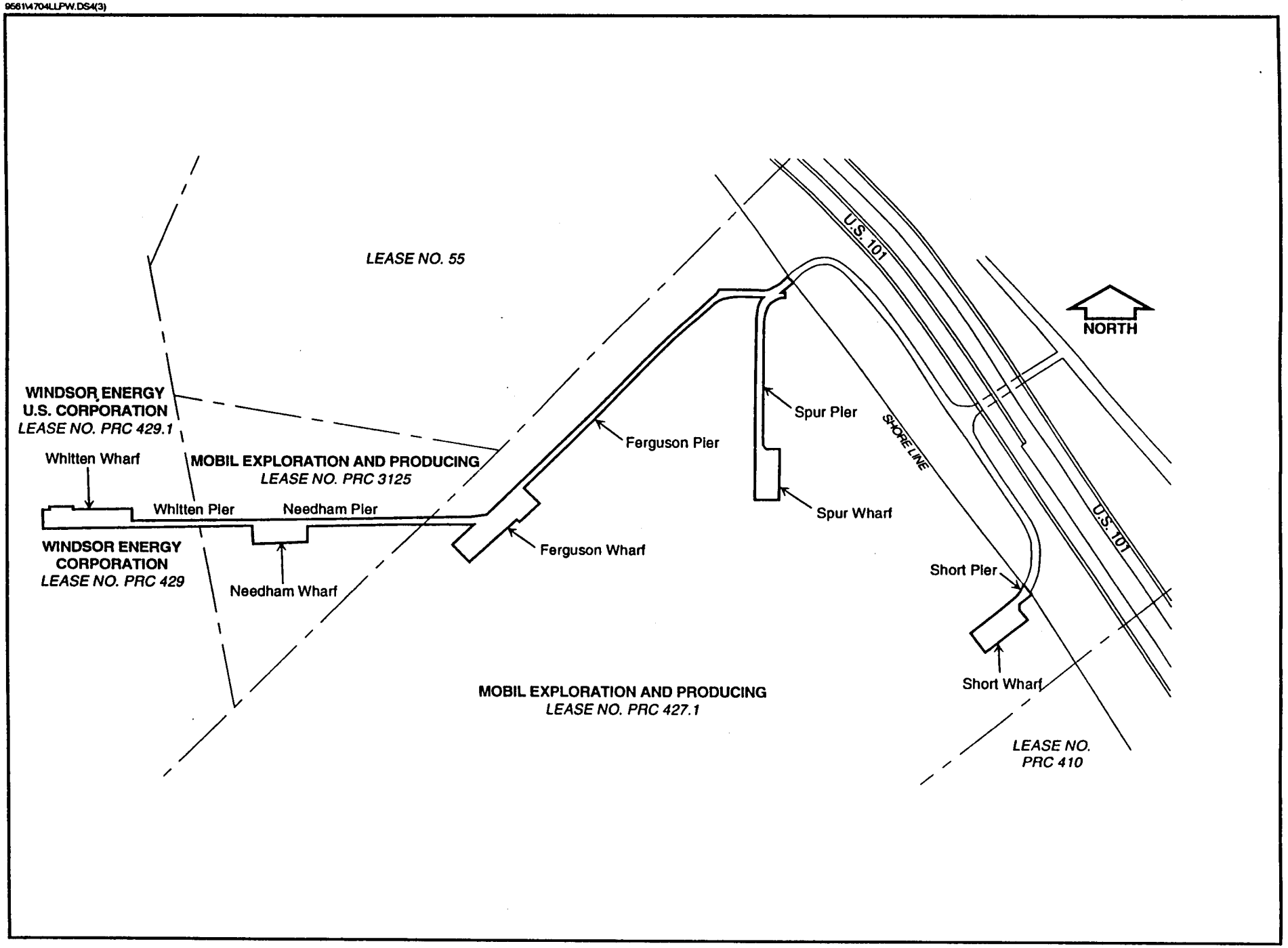
Exhibit 1

Seacliff Pier Complex Abandonment Project
Execution Plan

AERIAL PHOTOGRAPH

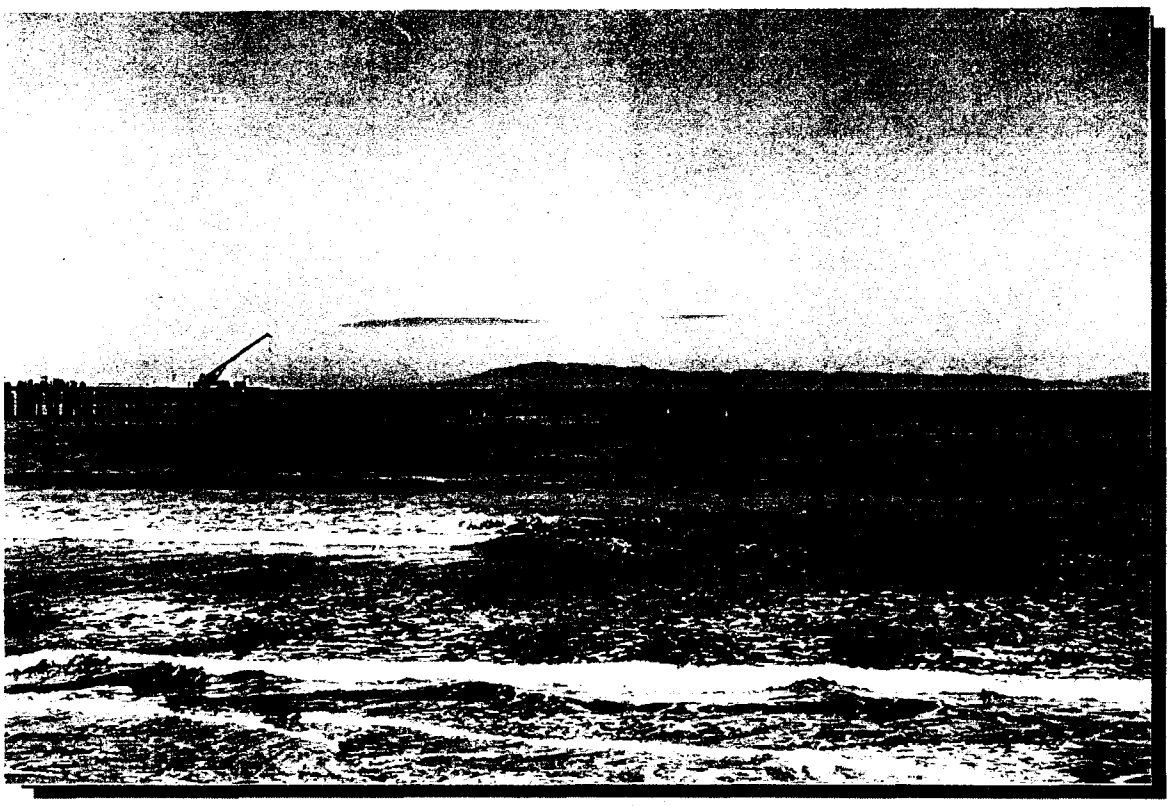
Exhibit 2

95614704LLPW.DS4(3)

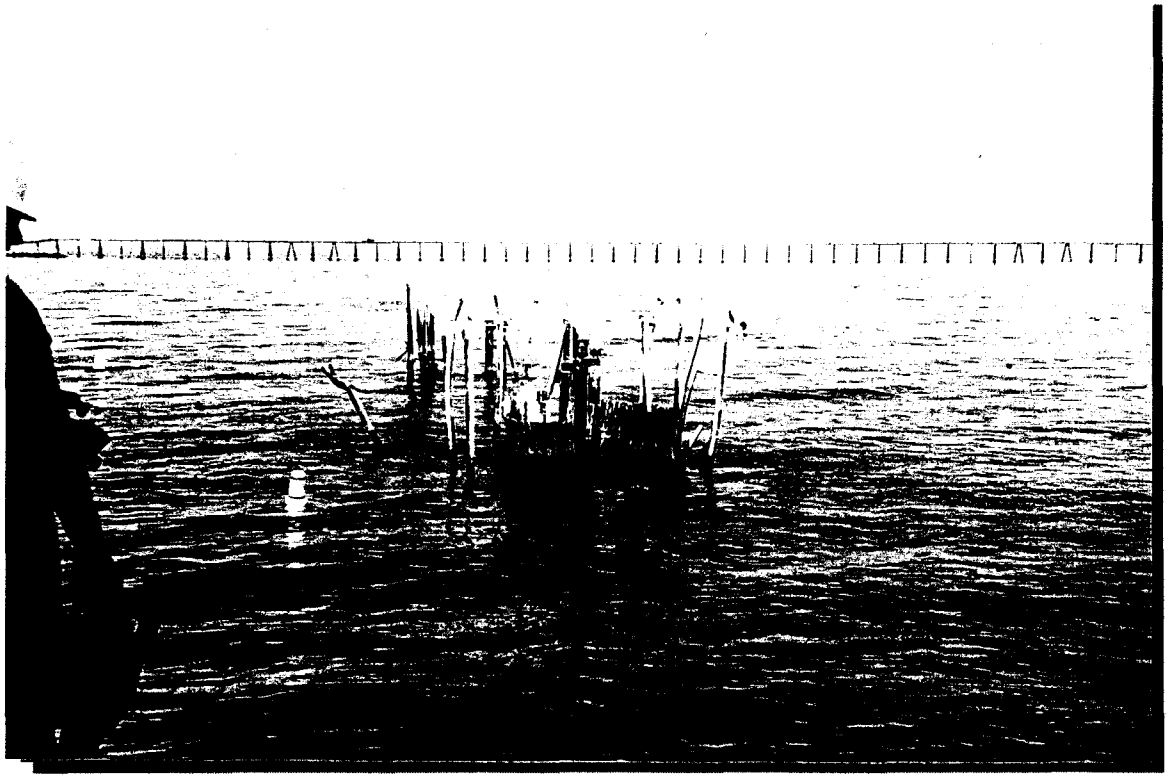


LEASE LOCATIONS, AND PIERS AND WHARVES TO BE REMOVED

Exhibit 3



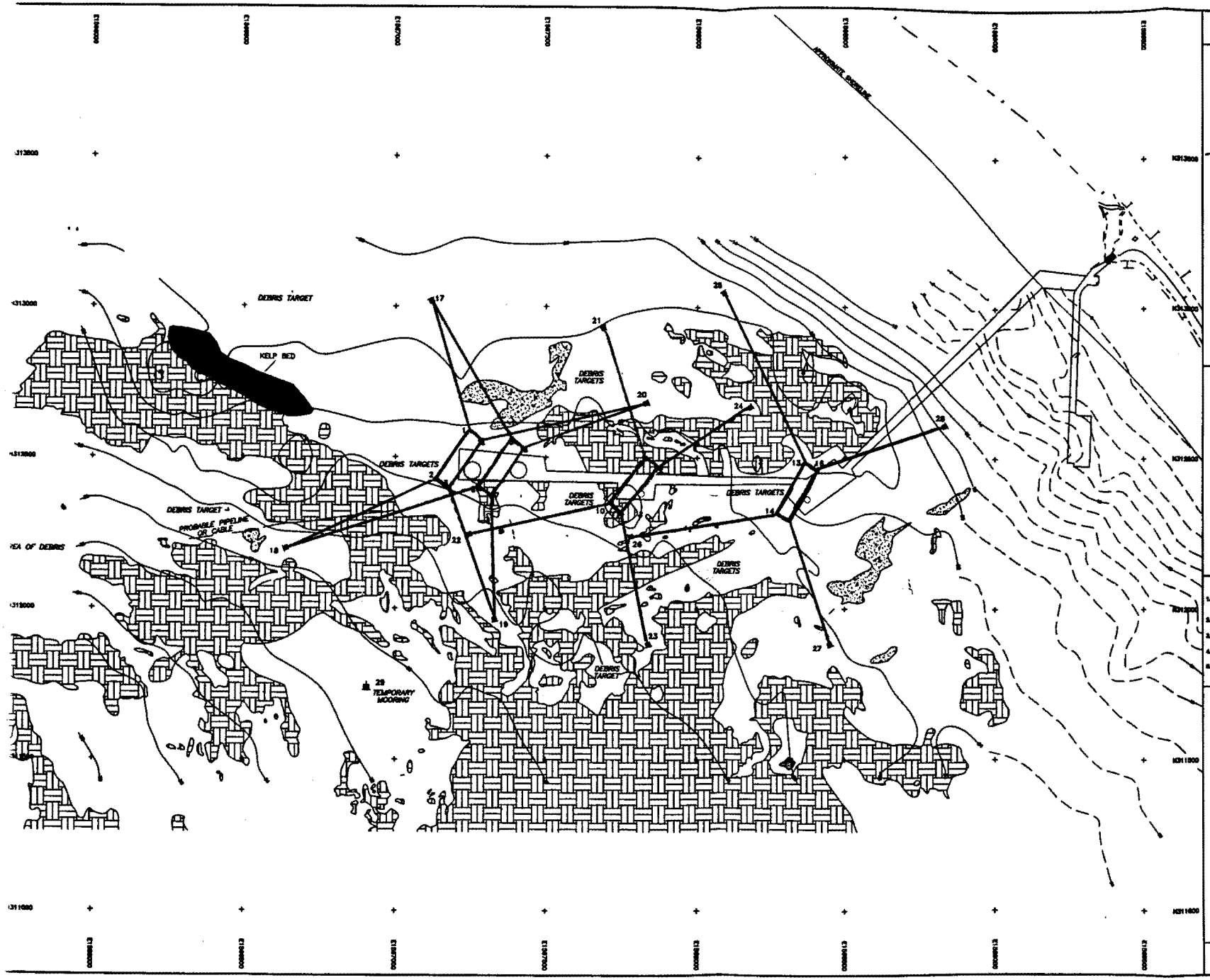
Whitten Wharf Caisson Debris Viewed from Beach



Whitten Wharf Caisson Debris Viewed from Pier

Figure 1 Caisson Photographs

Exhibit 5



L.A. deWit, Consultant

Barge and Anchor Locations

JULY 20, 1998

Mobil Oil Pier Removal, Sea Cliff, Ventura County, California

LEGEND

- BATHYMETRY CONTOUR (MLLW)
- BATHYMETRY CONTOUR (PREVIOUS)
- DEBRIS TARGETS
- COARSE TEXTURED SEAFLOOR
- ROCK OUTCROP
- KELP
- AREA OF DEBRIS

NOTES

1. HORIZONTAL POSITIONING ACHIEVED USING A STARFIX II DIFFERENTIAL GPS POSITIONING SYSTEM INTEGRATED WITH HYPACK SURVEY PACKAGE.
2. DATA ACQUISITION WAS CONDUCTED ON MAY 13th 1998 ABOARD THE M/V JULIE ANN.
3. SOUNDING CONTOURS ARE IN FEET AND REFERED TO MEAN LOWER LOW WATER (MLLW).
4. BATHYMETRIC DATA WERE RECORDED ON AN ODOM DUAL FREQUENCY ECHOTRAC PRECISION SCHEDGRAMMER.
5. SIDE SCAN SONAR DATA WERE RECORDED ON A KLEIN 595 DUAL FREQUENCY DIGITAL SONAR.

From: Fugro West Inc.

Sea Cliff Abandonment Project

Plate1

FIGURE 1

STATE OF CALIFORNIA – THE RESOURCES AGENCY PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200

W-13a

Date Filed: November 18, 1997
49th Day: January 6, 1998
180th Day: May 17, 1998
Staff: CLK-SF
Staff Report: November 18, 1997
Hearing Date: December 10-11, 1997
Item Number: W-13a
Approved 11-0

ADOPTED COMMISSION FINDINGS

APPLICATION FILE NO.: **E-96-14**

APPLICANTS: **Mobil Exploration and Producing U. S., Inc.**
Rincon Island Limited Partnership

PROJECT DESCRIPTION: Removal of two large pier complexes and associated structures used for oil and gas production and restoration of the site.

PROJECT LOCATION: State Leases PRC 427.1 (Ferguson Lease), 429.1 (Whitten Lease), and PRC 3125 (Needham Lease), in the Santa Barbara Channel, offshore Ventura County. (Exhibit 1)

SUBSTANTIVE FILE DOCUMENTS: See Appendix A

Synopsis

Mobil Exploration and Producing U.S., Inc. and Rincon Island Limited Partnership (Mobil/Rincon) propose to demolish a large, industrial pier complex constructed in the 1930's for offshore oil and gas production (Exhibit 1). Mobil terminated its oil and gas production activities at the pier complex in 1993. Rincon recently terminated production activities and is currently completing abandonment of its facilities. The applicants are applying for a coastal development permit to authorize removal of the piers as required under their State Lands Commission leases.

Removal of the wooden piers could cause potentially significant impacts to marine resources and interfere with the public's ability to access and recreate at Seacliff's large sandy beach.

Explosives

The project involves removing 21 large concrete caissons. The smallest caissons are eight feet in diameter and the largest is 22 feet in diameter. The caissons are located above and below the water and are reinforced with steel (See Exhibit 8). The applicants propose to remove the caissons using explosives. Explosives use has the potential to injure or kill marine mammals, birds and fish. The applicants have prepared a National Marine Fisheries Service (NMFS) and California Department of Fish and Game (CDFG)-approved Marine Wildlife Contingency Plan that includes measures to avoid or minimize adverse impacts to marine mammals and birds. The plan includes monitoring by a NMFS and CDFG-approved wildlife biologist to assure that no marine mammals or birds are within 1,000 yards of the piers prior to detonations. The NMFS and CDFG concluded that the monitoring plan will significantly reduce any potential impacts to marine mammals and birds.

The applicants also propose to use compressed air to create a "bubble curtain" surrounding the detonation site to drive fish away from the area and to attenuate the percussive force of the explosions. According to the U. S. Minerals Management Service, this technique may reduce fish mortality associated with underwater explosives use, particularly in shallow depths similar to those at the project site *(MMS 1996).*

Explosives use is the only feasible technique available to remove six of the 21 caissons due to certain requirements of the State Lands Commission's approval. The Coastal Commission considered another option, use of a diamond wire cutter, as an alternative to explosives for the remaining 15 caissons. The Coastal Commission determined, however, that diamond wire cutting is experimental for this type of application (and therefore may not work) and would also cause significant adverse impacts to marine resources (caused by a work barge) and increased air emissions. After evaluating both options, the Commission concluded that use of explosives only to remove all the caissons is technically the most reliable method for caisson removal and environmentally preferable to the combined diamond wire cutting/explosives option.

Beach Access

This project also raises potentially significant public beach access impacts due to closure of the beach access road during the nine-month project. Currently, surfers, jet skiers and other beach users use a Highway 101 underpass to access the popular sandy beach at Seacliff. That underpass will be closed to the public during the project's duration. The applicants propose to provide alternative beach access by improving the function of two existing pedestrian tunnels beneath Highway 101. This alternative access plan will allow some, but not all, beach users to access the beach throughout the term of the project. Jet skiers, for example, will not be able to access the beach and jet ski ramp during the nine-month project.

To compensate for impacts to beach access that cannot be fully mitigated, Mobil/Rincon propose to provide $100,000 to the County of Ventura to fund the construction of long-term public access improvements at Seacliff Beach. The applicants, Coastal Commission staff and State

Lands Commission staff have been working with Ventura County staff in developing beach access improvements that the County will construct and maintain with the $100,000. On November 10, 1997, the Ventura County Parks Advisory Commission adopted a Mobil Piers Draft Management Plan that includes overnight parking for recreational vehicles, day use parking, bathrooms, picnic tables and lighting. On November 25, 1997, the Ventura County Board of Supervisors approved the Management Plan. The Commission staff believes that the proposed Mobil Piers Management Plan is adequate to compensate for unavoidable impacts to beach users caused by pier decommissioning activities.

Surfing Impacts

The project site is a popular recreational surfing spot. Certain members of the local surfing community, represented by Patagonia Inc., believe that the pier complex has created favorable surfing conditions at the site and that removal of the piers may degrade or destroy the surf break. Patagonia has therefore requested that the Commission require mitigation for surf loss.

The applicants' consultant and the State Lands Commission have concluded that pier removal will not adversely impact surfing conditions. Nevertheless, the Commission believes that even if the pier structures improve surfing, the Coastal Act does not require the applicants to provide mitigation for the creation of an incidental public benefit. The pier complex was expressly constructed for oil and gas extraction only. Any enhancement of surfing that may have occurred due to the existence of these piers is incidental and therefore mitigation is not warranted.

Table 1 (pg. 4) summaries project-related significant issues, potential impacts, and mitigation measures that the applicants will need to implement to avoid, or reduce to insignificance, any impacts to coastal resources.

Commission Action

On December 11, 1997, by a vote of 11 t0 0, the Commission approved the proposed project as conditioned.

Table 1. Issue Summary: Potential Project-Related Impacts and Mitigation Measures

Potential Impact	Analysis
Explosives	**Issue:** The use of explosives to demolish the concrete caissons could injure or kill marine mammals, birds and fish. **Mitigation Measures:** • Explosives will be used in accordance with a California Department of Fish and Game Explosives Permit and with the project Marine Wildlife Contingency Plan. • A wildlife observer, approved by the National Marine Fisheries Service and the California Department of Fish and Game, will monitor the project area prior to, during and after all detonations. • Detonations will only occur during daylight hours to facilitate observation. • Detonation will be delayed until any marine mammals, birds, or large schools of fish observed within 1000 yards are vacated. • Detonations will be staggered to reduce the maximum pressure generated by explosives. • Injured or dead fish will be removed from the area prior to detonations to reduce attraction to marine mammals and birds. • A "bubble curtain" will be employed to reduce the percussive force of the explosions. • In accordance with **Special Condition 9,** the applicants shall monitor the percussive force of the explosions.
Public Access	**Issue:** The beach access road will be closed for the 9-month duration of the project. **Mitigation Measures:** • The public will be directed with temporary fencing and signs to two, existing, pedestrian tunnels which provide alternative access under the highway to the beach. • Temporary parking will be provided on the inland side of Highway 101, near the entrance to the pedestrian tunnels. • Mobil/Rincon will construct temporary boardwalks and stairs over the riprap revetment at the pedestrian tunnel exits to the beach. • **Special Conditions 4-7** require Mobil/Rincon to install lighting and to clean and maintain the underpasses during the time that the access road is closed, and requires that alternative beach access improvements are in place and opened prior to the road closure. • Mobil/Rincon will contribute $100,000 to Ventura County to fund permanent public access improvements at the site. The County has determined that this level of funding will be sufficient to implement the County's Draft Mobil Piers Management Plan. The County is required to obtain a separate coastal development permit for these improvements.
Recreation	**Issue:** The removal of the pier complex may adversely affect recreational surfing conditions and erode the beach. **Mitigation Measures:** • A coastal engineering study undertaken for the applicants concludes that the project will not affect surfing conditions. After reviewing this study and comments received from representatives of the surfing community, the Commission has determined that it is unclear whether the piers improve surfing conditions at the site, or not. However, even if the pier structures have improved surfing conditions, any enhancement of surfing conditions would be incidental to the coastal dependent

	industrial purposes of the pier complex. No mitigation is required for the potential loss of this incidental benefit. • **Special Condition 10** requires the applicants to monitor the beach profile for a period of five years following the pier removal for comparison with historic beach profiles. The applicants have agreed not to pursue final termination of their State leases for the facility until after the conclusion of the beach monitoring program. The beach profile information will be presented to the California State Lands Commission for its consideration of Mobil/Rincon's applications to "quit claim" the State leases.

1.0 COASTAL COMMISSION RESOLUTION

Approval With Conditions

On December 11, 1997, by a vote of 11-0, the California Coastal Commission adopted the following resolution:

Resolution:

The Commission hereby **grants** permit E-96-14, subject to the conditions specified below, on the grounds that (1) as conditioned the development will conform with the provisions of Chapter 3 of the California Coastal Act and (2) will not cause any significant adverse environmental impacts within the meaning of the California Environmental Quality Act.

2.0 STANDARD CONDITIONS

See Appendix B.

3.0 SPECIAL CONDITIONS

The Commission grants this permit subject to the following special conditions:

Caisson Demolition

1. Mobil/Rincon shall fully comply with the mitigation measures described in the May 1997, Marine Wildlife Contingency Plan for the project and California Department of Fish and Game Explosives Permit No. EP-97-02, issued November 18, 1997.

Water Quality

2. Prior to discharge of excavated materials into the marine environment, the applicants shall submit to the executive director and the Central Coast Regional Water Quality Control Board test results that document that the materials are suitable for open-water disposal in accordance with all applicable state and federal standards. Any materials excavated for the removal of the pier pilings that are determined to be suitable for open-water disposal shall be discharged immediately adjacent to the excavation site as close to the sea floor as feasible in order to minimize turbidity.

3. Prior to commencement of work, Mobil/Rincon shall submit to the executive director a copy of an approved certification or certification waiver for the proposed project under Section 401 of the Clean Water Act from the Central Coast Regional Water Quality Control Board.

Public Access

4. In addition to the improvements specified in the project description that will be made to the existing pedestrian access tunnels, Mobil/Rincon shall clean and maintain the tunnels, and provide lighting within the tunnels for the duration of the project.

5. Prior to closure of the pier access road, Mobil/Rincon shall complete all improvements to the northern pedestrian access tunnel, including: (a) designation of the parking area for a minimum of 15 cars; (b) construction of the stairway from the tunnel exit to the beach; (c) installation of signs directing people to the parking area and tunnel; and (d) installation of lighting.

6. Prior to closure of the pier access road, Mobil/Rincon shall submit to the executive director a copy of an approved CALTRANS encroachment permit authorizing the proposed temporary parking area at the northern pedestrian access tunnel for the duration of the project.

7. All improvements to the southern access tunnel shall be completed within 60 days of project commencement. The southern access tunnel shall be opened for public use as soon as safety considerations allow.

8. Prior to the commencement of project activities, Mobil/Rincon shall submit to the executive director evidence of final approval by the Ventura County Board of Supervisors of the Mobil Piers Management Plan for the Seacliff beach area. As further specified pursuant to the County's Mobil Piers Management Plan, the applicants shall repair the pier access road at the conclusion of the demolition project and shall leave in place a portion of each pier to be managed and maintained by the Ventura County General Services Agency.

Acoustic Monitoring

9. Prior to detonation of any explosive charge, the applicants shall submit to the executive director for review and approval an acoustic monitoring plan. The plan shall provide for the use of methods generally accepted in the field of acoustic monitoring to measure and report to the executive director the peak pressure of shock waves resulting from detonations associated with the demolition of: (1) one of the 8-foot-diameter caissons at the Short Wharf; and (2) the 22-foot-diameter caisson at the Whitten Wharf. For each monitored detonation, measurements shall be taken at a minimum of six (6) monitoring stations which shall include stations located: (1) one thousand (1,000) yards along shore; and (2) one thousand (1,000) yards cross shelf from the wave source.

Beach Profile Monitoring

10. Within 30 days of Commission approval of this permit, the applicants shall submit to the executive director for review and approval a beach profile monitoring plan. The plan shall provide for a five-year monitoring program of the beach profiles at the project site and shall include the following: (1) an overview of all available historic photographs and profiles from 1965 to present of the area that includes the 3,500-foot-long beach in the immediate vicinity of the pier complex; (2) location of eight profiles on the above-described beach; (3) established benchmarks which shall be used to reoccupy the eight

identified profiles; (4) monthly monitoring of the profiles during the removal of the piers and for one year thereafter; (5) seasonal profiles measured in December, March, July, and September thereafter to provide five full years of profile monitoring; and (6) annual aerial photographs of the non-winter beach, taken in conjunction with the March, July, or September seasonal profiles. Annual reports of the overall profiles shall be submitted to the executive director. The first year's report shall include the historic overview.

4.0 FINDINGS AND DECLARATIONS

The Commission find and declares as follows:

4.1 Project Location

The Seacliff pier complex is located seven miles northwest of the City of Ventura, on approximately 233 acres of State tidelands including the adjacent beach, in Ventura County (Exhibit 1). The shoreline at the project site consists of a southwest facing, sandy beach, extending to a riprap revetment bordering Highway 101. Mobil/Rincon maintain an access road which passes beneath the highway to the site. The public uses the access road, which provides the only vehicular access to the ocean side of Highway 101 at this location, for informal beach access.

4.2 Project Background

The Seacliff (or Rincon) pier complex was constructed in the 1930's for the production of oil and gas from wells located on the offshore piers and wharves. The piers are also known by local residents as the "oil piers." Production from the piers ceased in 1993, and all wells are now either plugged and abandoned or are currently in the process of abandonment. The purpose of the project is to remove the piers and wharves as required pursuant to State Leases PRC 427.1, 429.1, and 3125.

The Seacliff pier complex consists of two piers: the Short Pier, and the Ferguson/ Needham/ Whitten Pier (Long Pier) (see Exhibits 2 and 3). The Short Pier is approximately 350 feet long, ending at a 75-foot-wide by 162-foot-long wharf (the Short Wharf). Eight abandoned wells are located on the Short Wharf.

The Long Pier is composed of the Main Pier and the Spur Pier. The 620-foot-long Spur Pier diverges from the Main Pier approximately 140 feet from the shoreline and terminates at the 75-foot-wide by 162-foot-long Spur Wharf. Eight abandoned wells are located on the Spur Wharf.

The Main Pier consists of three segments: the Ferguson Pier, the Needham Pier, and the Whitten Pier. The Ferguson Pier is defined as the approximately 1,300-foot-long portion of the Main Pier from the pier's base to the Ferguson Wharf. Sixteen abandoned wells are located on the Ferguson Wharf, which is 80 feet wide by 300 feet long.

The Needham Pier is approximately 700 feet long and extends from the Ferguson Wharf to the boundary of Lease PRC 3125. Six abandoned wells are located on the 60-foot-wide by 170-foot-long Needham Wharf.

The Whitten Pier extends an additional 400 feet and ends at the 57-foot-wide Whitten Wharf. The Whitten Pier and Wharf are the only portions of the facility operated by Rincon Island Limited Partnership. Eighteen wells are located on the Whitten Wharf, including three that are abandoned and fifteen that are in the process of abandonment. A 20-foot-diameter waste tank and piping to shore are located on the Whitten Pier and Wharf.

All of the wharves, except the Spur Wharf, are built on derrick foundations with steel reinforced concrete caissons. The Spur Wharf and the piers are supported on wooden and steel pilings. The piers and wharves have wood and asphalt decking and wood railings.

4.3 Project Description

The applicants propose to remove the Seacliff pier complex to fulfill the terms of State Leases PRC 427.1, 429.1, and 3125. The decommissioning work will be conducted from the piers and wharves and will not require the use of a work barge or any other vessels. However, a small vessel will be used for a post-abandonment survey to verify all debris removal.

The decking, pilings, and caissons will be removed in sections working from the ends of the two piers to shore. Pilings will be removed intact by vibratory extraction unless piling integrity is insufficient. Pilings that cannot be extracted intact will be cut. Divers will cut the pilings located in water deeper than 15 feet at the mudline. Pilings in water shallower than 15 feet will be removed a minimum of 5 feet below the mudline. Mobil/Rincon will strip marine growth from the pilings which will be allowed to fall back into the water to minimize obnoxious odors due to decomposition.

The project will require excavation of approximately 16,800 cubic yards of sediment at the base of the pilings, disturbing an approximately 110,200-square-foot (2.53-acre) area. The applicants propose to discharge the excavated material into the ocean immediately down-current of the excavation.

The applicants propose to demolish the 21 concrete caissons using explosives. Pursuant to CDFG requirements, the applicants are required to use the minimum amount of explosives necessary for the demolition. The demolition plan specifies that 37.4 pound charges will be set into holes drilled into the caissons and sealed with three lineal feet of crushed rock and blast matting. The charges will be detonated electronically with a fraction of a second delay between each charge to minimize the total shock pressure generated at any one time. Once fractured, the caisson pieces will be removed using a clam bucket from the pier deck.

Mobil/Rincon will stage equipment and temporarily store materials removed from the piers on and adjacent to the access road and on the inland side of the highway on an approximately two-

acre oil field site (Exhibit 4). All debris will be either recycled or disposed of at an approved upland disposal site outside of the Coastal Zone. To ensure public safety, the access road will be closed to the public for the duration of the project. The project is expected to commence in mid December 1997, and will continue through the 1998 summer season.

Mobil/Rincon propose to minimize the impact of closing the access road by improving existing beach access via two pedestrian tunnels that cross under Highway 101 (see Exhibits 5-7). The applicants propose to: (1) designate a temporary parking area for a minimum of 15 cars near the entrance to the northern pedestrian tunnel; (2) install signs at the pier access road directing people to the alternative access ways; (3) construct a boardwalk to the beach across the riprap on the ocean side of the southern tunnel; (4) construct a stairway to the beach across the riprap on the ocean side of the northern tunnel; and (5) construct a walkway on the beach with protective netting beneath the Long Pier to allow surfers and other beach users to safely cross under the pier during the demolition project. Mobil/Rincon will construct the boardwalk and stairway using materials from the demolished piers as feasible. These improvements will be removed at the conclusion of the project.

4.4 Schedule

Mobil/Rincon expect to commence work in mid December 1997. The project will take approximately nine months to complete. The access road will remain closed through the peak-use summer season.

4.5 Other Agency Approvals

4.5.1 State Lands Commission

On November 7, 1997, the California State Lands Commission (CSLC) adopted a Mitigated Negative Declaration and approved the proposed project.

4.5.2 California Department of Fish and Game

On November 18, 1997, the California Department of Fish and Game (CDFG) granted an explosives permit authorizing the proposed use of explosives for demolition of the concrete caissons. The explosives permit includes conditions designed to minimize the impacts to marine wildlife.

4.5.3 Regional Water Quality Control Board - Central Coast Region

The Central Coast Regional Water Quality Control Board (RWQCB) regulates water quality in the project area. Mobil/Rincon have submitted an application to the RWQCB for a water quality Certification Waiver under Section 401 of the Clean Water Act. **Special Condition 3** requires Mobil/Rincon to provide the executive director with a copy of the final 401 Certification or Certification Waiver prior to commencement of the project.

4.5.4 Ventura County Air Pollution Control District

The Ventura County Air Pollution Control District (APCD) is the local air district responsible for implementing federal and state air quality standards in the Seacliff area. The APCD has determined that no emissions offsets are required to mitigate the air quality impacts of the proposed project. However, Mobil/Rincon has agreed to voluntary provide emission reduction credits, at a 1:1 ratio, from the Ventura County Emissions Reduction Bank.

4.5.5 U.S. Army Corps of Engineers

Mobil/Rincon have applied to the U.S. Army Corps of Engineers for authorization of the proposed project under Section 404 of the Clean Water Act and Section 10 of the River and Harbor Act.

Pursuant to Section 307(c)(3)(A) of the Coastal Zone Management Act, any applicant for a required federal permit to conduct an activity affecting any land or water use or natural resource in the coastal zone must obtain the Coastal Commission's concurrence in a certification to the federal permitting agency that the project will be conducted in a manner consistent with the California Coastal Management Program. The Commission's action on this permit application shall comprise its federal consistency review for the proposed Seacliff pier complex decommissioning project.

4.5.5 County of Ventura

A portion of the project staging area on the inland side of Highway 101 is within the certified Ventura County Local Coastal Program (LCP) permit jurisdiction. The County expects to grant an administrative permit for the staging of materials and equipment within its LCP jurisdiction.

4.6 Coastal Act Issues

4.6.1 Oil Spills

Coastal Act Section 30232 states:

> *Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.*

4.6.1.1 Potential Project-Related Oil Spills

Decommissioning the Seacliff pier complex could result in an accidental release of petroleum hydrocarbons into marine waters. The applicants' Oil Spill Contingency Plan identifies the worst case oil spill scenario as the release of less than five barrels of oil or oily water from abandoned production facilities. Another potential spill source will be a fuel or lubricant spill from equipment used for the demolition project.

4.6.1.2 Oil Spill Prevention

The first test of Coastal Act Section 30232 requires the applicant to provide "protection against the spillage of crude oil, gas, petroleum products, or hazardous substances...." As noted above, the proposed project could result in an accidental oil spill. Mobil/Rincon propose a number of measures to minimize the risk of such a spill from occurring.

Mobil/Rincon have cleaned the well conductors and caisson sumps of hydrocarbons. The majority of the production facilities have already been cleaned of hydrocarbons and removed. Remaining facilities will be inspected during the mobilization phase of the project to verify they are depressurized, free of hydrocarbons, and safe to dismantle and remove. The other potential release source would be a leak or spill of fuel or lubricant from equipment used for the demolition project. Mobil/Rincon will minimize this potential spill source by establishing an onshore fueling area, and by conducting daily inspections of all equipment to identify and correct any leaks.

The Commission finds that these measures will protect against the spillage of petroleum hydrocarbons and therefore the project is consistent with the first test of Coastal Act Section 30232.

4.6.1.3 Oil Spill Response

The second test of Coastal Act Section 30232 requires the applicant to provide effective containment and cleanup equipment and procedures for accidental spills that do occur. Despite the prevention measures proposed by Mobil/Rincon, the possibility remains that a minor oil spill could occur during project activities. For example, when the Commission approved the removal of Platforms Helen and Herman (*CDP No. E-87-6, January 1988),* all indications led the Commission to conclude that "the probability of a major oil spill is virtually impossible..." because the pipelines were pigged and then flushed with sea water for several days. Nevertheless, during pipeline removal, approximately 40 barrels (1,680 gallons) of rust, iron sulfides, and suspended tar/oil spilled from these pipelines. Therefore, despite the best preventative measures taken by Mobil/Rincon, the possibility of an accidental hydrocarbon discharge during Mobil/Rincon's abandonment activities still exists.

During project activities, Mobil/Rincon will maintain an on site spill response team to handle small spills (less than five barrels), and to provide immediate response to large spills. The on site team will be responsible for reporting, containment, and clean-up, and will coordinate with outside oil spill response contractors if necessary. The team is trained to respond to any reported spill on the leases. On site response equipment will include sorbent pads to absorb hydrocarbons and contain a spill and a vacuum truck to remove contaminated water.

Mobil/Rincon are also a member of the Clean Seas oil spill cooperative located in Santa Barbara County. Clean Seas has in its inventory over 54,000 feet of boom, including open ocean, offshore, nearshore, and protective boom.

However, notwithstanding the extensive oil spill containment and cleanup capabilities of Mobil/Rincon and Clean Seas, the Commission finds that the second criteria of Coastal Act Section 30232, which requires "effective" containment and cleanup equipment for spills that do occur, cannot be met at this time. The Commission interprets the word "effective" to mean that spill containment and recovery equipment must have the ability to keep spilled oil off the coastline. Unfortunately, the state-of-the-art is such that no equipment currently available has the capability to recover all oil from large spills and often even small spills in the open ocean.

Testing results of equipment at government research facilities in the United States and Canada have demonstrated that oil recovery equipment operates with about 50% effectiveness in relatively calm waters. These tests and actual field experience demonstrate that recovery efficiencies decrease as the dynamics of the sea (turbulence) increase. All booms and skimmers available for containment and recovery are limited in their effectiveness depending on wave height and wind speed. In wind wave conditions, the containment effectiveness of boom begins to lessen at a wave height of two feet. Under conditions of significant wave heights above six feet, booms and skimmers are largely ineffective (i.e., no measurable amounts of hydrocarbons are recovered). High winds can cause some types of boom to lay over, allowing oil to splash or flow over the boom.

Therefore, because the ability to effectively contain and clean up an oil spill does not exist at this time, the Commission finds that the proposed project is inconsistent with the second requirement of Coastal Act Section 30232.

4.6.2 Marine Resources

Coastal Act Section 30230 states:

> *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Coastal Act Section 30231 states in part:

> *The biological productivity and the quality of coastal waters... appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored....*

Adverse impacts to marine resources and marine water quality in the project area may result from removal of the pier complex. These potential impacts are discussed below.

4.6.2.1 Caisson Removal Alternatives

All of the wharves except the Spur Wharf are supported on derrick foundations with massive, steel reinforced, concrete caissons. Because removal of the 21 caissons could result in unavoidable adverse environmental impacts, the Commission staff analyzed the possibility of abandoning the caissons in place. The CSLC's leases require that all structures be removed from the site prior to lease termination unless otherwise authorized by the CSLC. Because of the caissons' potential to create a significant public hazard as they eventually decompose, the CSLC will only permit in-place abandonment of the caissons if an appropriate entity agrees to accept long-term maintenance and liability for the structures. No willing party has been or is likely to be identified.[1] Therefore, in-place abandonment is infeasible.

Explosives

The applicants propose to demolish the 21 concrete caissons using explosives. Pursuant to CDFG requirements, the applicants are required to use the minimum amount of explosives necessary for the demolition. The demolition plan specifies that 37.4 pound charges will be set into holes drilled into the caissons and sealed with three lineal feet of crushed rock and blast matting. The charges will be detonated electronically with a fraction of a second delay between each charge. Once fractured, the caisson pieces will be removed using a clam bucket from the pier deck.

The applicants assert that the mass of the caissons will absorb most of the force of the explosions. Nevertheless, the percussion from the underwater detonations could be capable of harassing, injuring or killing marine mammals, birds, and fish. Mobil/Rincon propose to implement a Marine Wildlife Contingency Plan to avoid or minimize these potentially significant impacts. The plan specifies that a wildlife biologist will conduct visual inspections from aircraft and the surface prior to all detonations to ensure that no marine mammals or birds are within 1,000 yards of the detonation source. Detonations will be delayed as necessary until the area is clear of marine mammals and birds. Divers will collect injured or dead fish to minimize attraction of marine mammals and birds.

The NMFS provided comments concerning the use of explosives to the Army Corps of Engineers (COE) concerning the proposed project. The NFMS specified that the COE permit for the project should require that: (1) the marine wildlife observer must be approved by the NMFS; (2) the applicants must notify the NMFS two weeks prior to any detonations; and (3) the applicants shall confirm that no sea turtles are within the 1,000 yard safety zone prior to

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[1] Mobil/Rincon requested that the California Department of Fish and Game (CDFG) accept responsibility for the demolished caissons as a component of the State's artificial reef program. The CDFG rejected this proposal on the basis that: (1) the water depth is too shallow to be appropriate for an artificial reef; (2) the caissons would provide only a minor environmental benefit; and (3) the project scale would not warrant CDFG administration (Parker, pers. comm., 11/13/97).

detonations. The NMFS found that by implementing the Marine Wildlife Contingency Plan, as modified pursuant to these comments, significant impacts resulting from the proposed use of explosives will be avoided (Lagomarsino, pers. comm., 11/18/97).

The CDFG has granted an explosives permit for the proposed project which requires the applicants to use the minimum explosives necessary to accomplish the project. The CDFG has determined that through implementation of the mitigation measures contained in the Marine Wildlife Contingency Plan and the explosives permit significant, adverse impacts to marine wildlife will be avoided (Nitsos, pers. comm., 11/18/97).

The Marine Wildlife Contingency Plan is based on the belief that at a distance of 1,000 yards from the detonations, the blast pressure from the explosions will be reduced to a harmless level. The NMFS established the 1,000-yard safety zone for platform abandonment projects in the Gulf of Mexico based on formulas that predict the force of open water explosives detonations (50 CFR Part 228 Subpart E; 60 Fed. Reg. 53139). Based on these formulas, NMFS concludes that marine mammals would not be injured from the detonation of 50 pound charges in open water. Citing a study of detonations inside of well casings, NMFS also expects that the caissons will absorb 50-75 percent of the peak pressure generated from the explosives. For these reasons, NMFS believes that the 1,000 yard safety zone is sufficient to protect marine mammals from injury or acoustic harassment from the proposed explosives use (*NMFS 1997).*

The NMFS developed these mitigation procedures for platform abandonment projects in the Gulf of Mexico based on detonations in deep water. The Seacliff pier complex is located in shallow coastal waters where the shock waves from the proposed underwater detonations will be affected by reflection from the sea surface and sea floor. The complicated effects of shallow water detonations are difficult to model and estimates of peak pressure are characterized by a high degree of uncertainty.

Because NMFS developed the 1,000 yard safety zone standard for situations very different from the proposed project, the Commission is concerned that the shock wave pressure from the proposed underwater explosions may not be reduced to a level harmless to marine mammals at a distance of 1,000 yards. Therefore, pursuant to **Special Condition 9,** the applicants are required to implement an acoustic monitoring plan to measure and report to the executive director the peak pressure at various distances, including 1,000 yards, of the shock waves resulting from the demolition of one of the 8-foot-diameter caissons at the Short Wharf and the 22-foot-diameter caisson at the Whitten Wharf. These two caissons are specified in the permit condition because they represent the extremes in terms of water depth, distance from shore, and size for the pier complex caissons, and are therefore expected to encompass the possible range of blast pressure effects. The acoustic monitoring plan is necessary to verify that the Marine Wildlife Contingency Plan is sufficient to protect marine mammals from acoustic harassment or injury.

The applicants also propose to employ a "bubble curtain" to lessen the effects of the explosives use to fish. Compressed air will be used to create a bubble curtain surrounding the detonation site

to attenuate and refract the blast pressure of the explosions. This technique has been found effective in reducing fish mortality associated with underwater explosives use, particularly in shallow depths similar to those of the Seacliff pier complex site (*MMS 1996).*

Diamond Wire Cutter

In addition, the applicants also considered using a diamond wire cutter as a potential feasible alternative to explosives. Diamond wire cutters use a diamond-embedded, steel wire, which, like a chain saw, runs over pulleys mounted on a frame. Diamond wire cutting is a relatively new technology and has typically been used to cut small to medium-sized, tubular structures and standard steel shapes, not large caissons. However, Mobil/Rincon's contractor believes that a diamond wire cutter might be capable of cutting through the large caissons, except for the 22-foot-diameter caisson which is too large for the tool to handle.

Also, a diamond wire cutter cannot be used, to remove caissons below the mudline. The five caissons supporting the Short Wharf are located in water shallower than 15 feet MLLW. To reduce the risk of future hazards, the CSLC requires that structures in water shallower than 15 feet be removed to a minimum of 5 feet below the mudline. Because the diamond wire cutter cannot make cuts below the mudline, the five caissons supporting the Short Wharf can not be removed using this method. Therefore, this method can only be considered to remove 15 of the 21 caissons, thereby reducing, but not eliminating, explosives use.

Although this technique could reduce the potentially adverse impacts to marine wildlife caused by explosives, diamond wire cutting would result in substantially increased air emissions and could potentially cause significant adverse impacts to kelp and other marine biological resources. Using diamond wire cutting to remove 15 of the 21 caissons would require the use of a barge. The caissons cannot be removed in one whole piece from the pier decking; the weight of the caissons would exceed the structural capacity of the pier structures. The contractor could make several cuts to create pieces that meet the lifting limitations of the pier structures. Mobil/Rincon estimates that the 8-foot-diameter caissons would have to be cut into fifteen pieces and the 12-foot-diameter caissons into twenty-five. The cuts are expected to take 12 to 18 hours each. Working 12 hours per day, 7 days per week, caisson cutting would take 255 to 383 days. This alternative would significantly extend the length of the project, and, therefore, the time that the beach access road would be closed to the public.

The caissons could be removed in whole pieces using a derrick barge thereby limiting the required cuts to fifteen. However, the use of a barge would lead to additional adverse environmental impacts, including increased emissions of pollutants and marine biological impacts resulting from vessel anchoring.

The applicants estimate that the use of a derrick barge would generate 5.24 tons of NO_X. The total estimated project emissions pursuant to the original work plan (without a barge) is 14.85 tons of NO_X. Assuming the use of a barge would reduce the number of truck trips required to remove caisson rubble, the net project increase in NO_X emissions would be 5.12 tons or 34%.

Use of a barge for caisson removal would require three anchoring positions using a four-point anchor spread. Barge anchoring would cause temporary sea floor scarring and could adversely affect hard bottom habitat, marine vegetation, and benthic organisms.

The proposed use of explosives could potentially cause significant adverse impacts to marine wildlife. However, the project includes a number of measures to mitigate these potential impacts to a level below significance. Diamond wire cutting is an experimental technique, that, if successful, could reduce the total quantity of explosives used for the project. However, this method would not eliminate the use of explosives and would lead to additional, significant environmental impacts. No other feasible, less environmentally damaging alternatives to explosives have been identified. The Commission therefore finds that the use of explosives only is the environmentally preferable method to remove the caissons. The Commission further finds that implementation of the Marine Wildlife Contingency Plan and the "bubble curtain" will maintain the biological productivity of the marine environment and the quality of coastal waters as required by Coastal Act Sections 30230 and 30231.

4.6.2.2 Water Quality Impacts

The Central Coast Regional Water Quality Control Board (RWQCB) regulates water quality in the project area. Mobil/Rincon have submitted an application to the RWQCB for a water quality Certification Waiver under Section 401 of the Clean Water Act. **Special Condition 3** requires Mobil/Rincon to provide the executive director with a copy of the final 401 Certification or Certification Waiver prior to commencement of the project.

The applicants are required by the CSLC to remove the pier pilings and caissons that are located in the surf zone to five feet below the mudline. This will require the excavation of approximately 16,800 cubic yards of sediment in the surf zone. The applicants propose to discharge the excavated materials on-site. The sediments at the base of the pier complex could potentially be contaminated with hazardous substances associated with the past oil and gas production activities. RWQCB staff believes that the potential for contamination is low because the materials to be excavated are course grained and are located within the dynamic surf zone environment, but cannot exclude the possibility of contamination unless the materials are tested (Lyons, pers. comm., 11/19/97). Therefore, pursuant to **Special Condition 2,** any excavated materials to be disposed of on site shall be tested to verify they are suitable for discharge into the marine environment, in accordance with all applicable state and federal standards.

The excavation and discharge of this material will temporarily increase turbidity. To minimize turbidity, excavated material, determined to be suitable for on-site disposal, will be discharged immediately adjacent to the excavation site. Detonation of explosives to fracture the concrete caissons is expected to suspend small quantities of sediment. Short-term increased turbidity will affect benthic organisms, and will decrease light available for photosynthesis. The organisms in the project area, however, are adapted to similar episodes of short-term increased turbidity during storms.

The Commission therefore finds that the water quality impacts of the proposed project, as conditioned, will not significantly affect marine organisms or the biological productivity of coastal waters in accordance with the requirements of Coastal Act Sections 30230 and 30231.

4.6.2.3 Brown Pelicans

The Seacliff pier complex is recognized as an important roosting site for the endangered California brown pelican (*Pelicanus occidentalis californicus),* cormorants and other seabirds. The pier complex was ranked as one of the top three pelican roosting sites along the Southern California mainland according to surveys conducted in 1992 and 1993 (*Jaques, 1996*). Nevertheless, the removal of the piers is not expected to significantly affect the brown pelican population because ample alternative roosting sites are available within the nearby vicinity (Gress, pers. comm., 10/29/97; Jaques, pers. comm., 10/31/97).

Rincon Island, an artificial island constructed for oil and gas production, and the causeway connecting the island to shore are located approximately one mile to the west of the project site and provide roosting opportunities comparable to the piers. Tom Keeney, co-author of the above cited study, believes that pelicans displaced from the piers will relocate to other roosting areas within a 10-mile-radius (Keeney, pers. comm., 11/97). In addition to Rincon Island, other known roosting sites within this range include the Santa Clara River mouth, the Ventura Harbor breakwater, the Ventura River mouth, Carpinteria Marsh, and the Santa Barbara Harbor.

Because alternative roosting habitat is available within close proximity to the project site, the Commission finds that the loss of roosting habitat resulting from the removal of the Seacliff pier complex will not adversely affect the populations of the California brown pelican or other seabirds, and is therefore consistent with the provisions of Coastal Act Section 30230.

Conclusion

With the inclusion of the mitigation measures discussed above, and as conditioned herein, the Commission finds that the proposed project will be carried out in a manner that will sustain the biological productivity and quality of coastal waters appropriate to maintain optimum populations of marine organisms in conformance with Coastal Act Sections 30230 and 30231.

4.6.3 Recreation and Public Access

Coastal Act Section 30211 states:

> *Development shall not interfere with the public's right of access to the sea where acquired by use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Coastal Act Section 30220 states:

> *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Coastal Act Section 30253(2) states:

> *New development shall:*
>
> *...(2) Assure stability and structural integrity, and shall neither create nor contribute significantly to erosion....*

4.6.3.1 Pier Access Road Closure

The 3,500-foot-long beach at Seacliff is one of the few sandy beach areas in northern Ventura County. Sandy beach access near the project area is limited due mainly to the widening of Highway 101 in the early 1970's. Much of the sandy shoreline was filled and armored with riprap for the highway project. In addition, the highway serves as a physical barrier to safe access to some areas of the shoreline. For example, with no vehicular access to the ocean side of the highway and no parking allowed on the highway shoulder, pedestrians must cross four lanes of traffic to reach La Conchita Beach located to the north of the pier complex. Private development further limits public use of the remaining sandy beaches in the area (e.g., Mussel Shoals to the north of the pier complex and Solimar Beach to the south).

The public is able to access Seacliff's beach by means of the pier access road which crosses beneath Highway 101. Currently, free, informal parking for approximately 46 cars is available at the beach along the access road and in an unpaved area to the north of the road. Additional, free parking for approximately 70 cars is available along Old Highway 1 on the inland side of Highway 101. The beach is popular with recreational surfers, jet skiers, and passive beach users.

Throughout the project, Mobil/Rincon will use the pier access road to transport equipment and materials. To ensure public safety, the access road will be closed to the public for the duration of the project. Mobil/Rincon anticipate that the project will take nine months to complete, working 12 hours per day, seven days per week. Problems (e.g., equipment failures, bad weather) could extend this schedule. The project is expected to commence in early 1998, and will continue through the 1998 summer season.

The road closure will prohibit the public from accessing the beach by means of the access road throughout this period, interfering with the public's ability to access the beach. In addition, the noise and visual impacts of the decommissioning project will degrade the quality of the beach as a recreational site during the term of the project and may further discourage use of the beach. Thus, the proposed project will significantly impact public access to the beach and public recreation.

4.6.3.2 Alternative Beach Access

To mitigate the adverse effect of the road closure, Mobil/Rincon propose to improve existing, alternative access to the beach at the project site. When Highway 101 was widened, CALTRANS constructed two pedestrian access tunnels located at the northern and the southern ends of the beach (Exhibits 5, 6, and 7). The southern tunnel opens onto the riprap south of the short pier. Informal parking is available for approximately 70 cars along Old Highway 1 approximately 655 feet from the entrance to the tunnel. Safety concerns require Mobil/Rincon to close the southern

pedestrian tunnel during the removal of the Short Pier, which is expected to take two months. The project will not require closure of the northern tunnel.

Mobil/Rincon propose to minimize the impact of closing the access road by improving the existing beach access via the pedestrian tunnels. Mobil/Rincon propose to: (1) designate a temporary parking area for a minimum of 15 cars near the entrance to the northern pedestrian tunnel; (2) install signs at the pier access road directing people to the alternative access ways; (3) construct a boardwalk to the beach across the riprap on the ocean side of the southern tunnel; (4) construct a stairway to the beach across the riprap on the ocean side of the northern tunnel; and (5) construct a walkway on the beach with protective netting beneath the Ferguson Pier to allow surfers and other beach users to safely cross under the pier during the demolition project. Mobil/Rincon will construct the boardwalk and stairway using materials from the demolished piers as feasible. These improvements will be removed at the conclusion of the project.

Special Condition 4 requires Mobil/Rincon to clean and maintain the pedestrian tunnels throughout the term of the project, install lighting in the tunnels, and to complete all improvements to the northern accessway prior to closing the access road.

The proposed improvements to the pedestrian tunnels will allow access to the beach for some users during the term of the project. However, some beach users (e.g., disabled persons, families with small children, elderly persons) may be discouraged from using the pedestrian tunnels due to the longer walk. Other users may not feel safe using the tunnels. Jet skiers will be unable to transport their equipment to the beach without use of the access road. Thus, although the proposed improvements to the existing alternative beach access will allow certain beach users to access the beach during the project, significant impacts to public access will remain.

4.6.3.3 Long Term Improvements to Beach Access

To compensate beach users for unavoidable impacts to beach access that will result from the beach access road closure, Mobil/Rincon propose to provide $100,000 to fund long-term public access improvements at the site. The applicants have been working with Ventura County staff concerning this public access project. On November 10, 1997, the Ventura County Parks Advisory Commission adopted a Draft Mobil Piers Management Plan for the site. On November 25, 1997, the County Board of Supervisors approved the Final Management Plan.

Pursuant to the proposed management plan, at the conclusion of the project, Mobil/Rincon will restore the pier access road and leave in place a small portion of each of the two piers. The County would use the proposed funding to construct additional public access improvements and accept long-term management responsibilities for the facilities. **The County will need to obtain a separate coastal development permit for the construction of the proposed public access improvements.** The specific details of the proposed improvements will be finalized through the Commission's consideration of the County's CDP application. However, the County's Draft Management Plan proposes the following public access improvements:

- Overnight parking for ten, self-contained recreational vehicles;
- Day-use parking for fifty-four cars;
- Restrooms;
- Trash containers;
- Lighting;
- Signs;
- Walkways from the parking areas to the beach;
- A ramp at the north end of the day-use parking area to provide disabled beach access and to facilitate jet ski and other water craft launching; and
- Picnic tables.

The draft plan proposes that Mobil/Rincon leave in place portions of the two piers landward of the mean-high-tide line. The remaining pier sections would be 19 feet wide by 55 feet long for the Short Pier and 19 feet wide by 77 feet long for the Long Pier. The County would repair the decking and railings on these "pier stubs" which would be used as eating and observation areas.

The Commission is requiring in **Special Condition 8,** that, prior to the commencement of project activities, Mobil/Rincon submit to the executive director evidence of final approval by the Ventura County Board of Supervisors of the Mobil Piers Management Plan for the Seacliff beach area. **Special Condition 8** further requires the applicants to repair the pier access road at the conclusion of the demolition project and to leave in place a portion of each pier to be managed and maintained by the Ventura County General Services Agency as further described under the County's Mobil Piers Management Plan.

Conclusion

Although the proposed improvements to the existing alternative beach access will allow certain beach users to access the beach during the project, significant impacts to public access will remain. However, the proposed contribution to the County to fund the construction of permanent public access improvements is adequate to compensate for these unavoidable impacts. The Commission finds that with the provision of the mitigation measures provided by Mobil/Rincon, in combination with **Special Condition 4-8,** the proposed project is consistent with the public access and coastal recreation policies of Coastal Act Sections 30211 and 30220.

4.6.3.4 Surfing

The project site is a popular recreational surfing spot. Members of the local surfing community, represented by Patagonia, Inc., estimate that the site generates an average of 450 trips per month (*Zimmer 1997*). Patagonia believes that the piers and particularly the wharves have created favorable surfing conditions at the site by forming sand bars in the surf zone. Surfers are concerned that the removal of the piers may degrade surfing or destroy the surf break at the site.

The applicants hired Noble Consultants, Inc. to assess the potential impacts to recreational surfing caused by removal of the piers (*Noble 1997).* The Noble report concludes that extensive construction activities along the shoreline (in particular, the widening of Highway 101) has advanced the shoreline "by about 400 to 500 feet seaward from its natural position that existed over one hundred years ago." The Noble analysis concludes that shoreline fill, and not the pier structures, is the major factor controlling shoal formation and current surf breaks.

The Noble report also found that Rincon Island (an artificial oil island located about one mile west of the piers) may help to create a small wave peak near the end of the Spur Pier. Although the Noble report did not examine the effects of the large caissons on waves or sand movement, it found that the pier pilings (about one foot in diameter) neither effect wave attenuation nor have a discernible effect on the longshore movement of sand. The report concludes that surfing at Seacliff is the "result of historical shoreline fills, possible Rincon Island wave effects and other imperceptible bottom features that all interact to create the present day site" and that "removal of the Oil Piers will not be responsible for degradation of surf conditions."

In response to the Noble Report, Patagonia submitted to the CSLC and Coastal Commission written testimony by Dr. William R. Dally, that disputes Noble's findings (*Dally 1997).* While Dr. Dally agrees that the small diameter pier pilings have a negligible effect on wave attenuation, he believes that the large caissons disrupt waves and the longshore current and create scour and deposition features (sandbars/shoals) that support surfing at Seacliff. The Dally report concludes that "it is more probable than not that the removal of the oil piers as planned will result in the degradation of surf conditions at the site."

Patagonia has thus requested of the regulatory agencies that mitigation be provided for any loss of surf break due to pier removal.

The Commission recognizes that the Seacliff area has a number of natural and artificial features that create surfable waves in the vicinity of the piers. The Commission believes that the presence of the piers is one of many features (including Rincon Island, shoreline fill, localized shoals, sand deposits and rock outcroppings) that may contribute to the wave climate at Seacliff. However, the significance of the specific and unique contribution of the pilings and caissons to the wave climate is difficult to assess.

Nevertheless, the Coastal Act does not require the applicants to provide mitigation for impacts to surfing caused by removal of the oil and gas pier structures. The piers were constructed at Seacliff for the sole and exclusive purpose of oil and gas production. Even if the piers cause improved surfing conditions at this beach, the surfers have derived an incidental public benefit from the placement of these artificial structures on the sea floor. The Commission therefore finds that requiring mitigation for impacts to surfing is not warranted.

This position is consistent with the Commission's approval of the Subsea Well Abandonment Rig Sharing Program (SWARS) (CDP Nos. E-95-9, 10, 11, 12, 13, 14, and 17). For the SWARS

Program, well operators proposed to remove subsea oil and gas wells that also served to benefit commercial and recreational fishing interests. Certain fishing groups requested that the Commission require the applicants to mitigate for the loss of fishing due to the removal of the subsea wellhead assemblies. The Commission concluded, however, that the commercial fishermen and sports fishing groups that successfully fished at these wellhead sites had over the years derived an incidental economic benefit from the placement of these structures on the sea floor and therefore mitigation was not warranted.

Conclusion

Although the evidence presented by the applicants does not completely exclude the possibility that the construction of the pier complex has not contributed to the creation of favorable surfing conditions at the site, any such benefit that may have occurred would be incidental to the coastal dependent industrial purposes of the pier complex and would not therefore be subject to the protections under Coastal Act Section 30220 of water-oriented recreational uses. Therefore, the Commission finds that the proposed project is consistent with Coastal Act Section 30220.

4.6.3.5 Beach Erosion

Coastal Act Section 30253(2) states that new development shall neither create nor contribute significantly to erosion, and Coastal Act Section 30220 protects coastal areas suited for water oriented recreational activities. The Commission is concerned that the proposed removal of the Seacliff pier complex could lead to beach erosion in conflict with these Coastal Act policies. The Commission is therefore requiring in **Special Condition 10** that the applicants monitor the beach for a period of five years following the pier removal. The beach monitoring program will detect whether the profiles of the Seacliff beach during the five years following the pier removal are substantially different from those observed prior to the project. However, numerous factors contribute to the local shoreline processes at Seacliff beach, such as the widening of Highway 101 (and associated shoreline fill), wave and current conditions, sediment availability, seasonal and long-term weather conditions, and the presence of Rincon Island. The monitoring program will record any changes to the beach which may result from changes in any of the factors affecting sediment supply and transport at the site. The required beach monitoring plan has not been designed to determine the significance of the various factors that could affect shoreline change. Thus, while the required beach monitoring program will document the condition of the beach following the removal of the piers, any changes detected in the beach profile will not necessarily be attributable to the project. On the other hand, evidence that the various factors identified above have remained more or less constant in terms of their impact on shoreline processes before and after project implementation may support inferences regarding a causal relationship between the project and shoreline changes.

The applicants will provide to the executive director and to the CSLC the results of the monitoring program and have agreed not to pursue the final termination of their state leases with the CSLC until after the conclusion of the five-year monitoring period. Staff of the CSLC has indicated that it will use the information provided to evaluate the extent, if any, to which the

removal of the Seacliff Pier Complex has adversely affected the historic areal extent of the beach. Such information will be presented to the CSLC during its consideration of Mobil/Rincon's application to "quit claim" their leases to the State. Therefore, the Commission finds that, as conditioned pursuant to **Special Condition 10,** the proposed project is consistent with Coastal Act Sections 30220 and 30253(2).

4.6.5 Air Quality

Coastal Act Section 30253(3) states:

> *New development shall be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.*

The air quality of Ventura County is regulated by the California Air Resources Board (CARB) and the Ventura County Air Pollution Control District (APCD). Total project emissions are projected to be 14.85 tons NO_X. In accordance with its *Guidelines for the Preparation of Air Quality Impact Analyses,* the APCD has determined that the emissions generated by the proposed project are not significant. In accordance with California Health and Safety Code Section 42301.13, the proposed project is exempt from emissions offset requirements because it involves the demolition of a stationary emissions source.

However, Mobil/Rincon have agreed to voluntary provide emission reduction credits, at a 1:1 ratio, from the Ventura County Emissions Reduction Bank. In addition, Mobil/Rincon will implement standard emission control procedures to minimize the air quality impacts of the proposed project, including:

- Engines used in all equipment will be maintained in good condition and in proper tune as per the manufacturer's specifications;
- The construction schedule will be designed to minimize the number of vehicles and equipment operating simultaneously; and
- All emission producing activities will be suspended if the APCD declares a Critical Event Day.

Because it includes appropriate air pollution control measures and mitigations, and is consistent with the requirements imposed by the Ventura County APCD, the Commission finds the proposed project consistent with Coastal Act Section 30253(3).

4.6.6 Cultural Resources

Coastal Act Section 30244 states:

> *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Cultural resources consist of places or objects important to cultures, communities, and individuals for scientific, historical, and religious reasons. Cultural resources include archeological sites and remains, shipwrecks, artifacts, and places of importance that provide evidence of past human activities.

In January 1996, the UCLA Institute of Archaeology South Central Coast Information Center conducted an archaeological records search for the project area. The search identified five prehistoric sites within a 1-mile radius of the site. One of these sites, CA-VEN-241, is located approximately 1,000 feet east of the base of the Short Pier. However, project activities are not anticipated to cause any further disturbance of site CA-VEN-241.

In February 1997, San Buenaventura Research Associates evaluated the historic significance of the Seacliff pier complex. The evaluation considered whether the pier complex qualifies for listing on the National Register of Historic Places (NRHP) and to determine its status as a local landmark. The analysis concluded that the piers are eligible for listing on the NRHP and for designation as a Ventura County Landmark.

To mitigate for the loss of this historic resource, Mobil/Rincon have proposed the following measures:

- A Historic American Building Survey/Historic American Engineering Record Survey report at level II, as defined by 36 CFR Part 61, will be conducted for the complex. This report will include historical documentation, archival quality photographs, reproductions of available plans and the production of additional documentation as required. Documentation will be offered to appropriate repositories such as the Ventura County Museum of History and Art.
- The pier complex will be nominated for designation as a State Historical Landmark site or Point of Historical Interest.

With the implementation of these measures, the Commission finds the proposed project to be consistent with the requirements of Coastal Act Section 30244 for the protection of archaeological and paleontological resources.

4.6.7 Coastal Dependent Industrial "Override" Provision

Coastal Act Section 30101 defines a coastal-dependent development or use as that which "requires a site on or adjacent to the sea to be able to function at all." Ports, commercial fishing facilities, marine terminals, and offshore oil and gas developments are examples of development considered "coastal dependent" under Section 30101.

Coastal Act Section 30260 provides for special approval consideration of coastal-dependent industrial facilities that are otherwise found inconsistent with the resource protection and use policies contained in Chapter 3 of the Coastal Act. The Seacliff pier complex qualifies as a "coastal dependent industrial facility." In its consideration of a coastal development permit application for a coastal-dependent industrial facility, the Commission must first analyze the proposed project under all applicable Chapter 3 policies. If the proposed development does not

conform with one or more of these policies, then the development may be approved under the coastal-dependent industrial override provision of Section 30260.

Coastal Act Section 30260 states:

> *Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this Section and Sections 3026l and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.*

As described in Section 4.6.1 of this report, the proposed project does not conform with Coastal Act Section 30232 due to the potential for and significant impacts caused by a marine oil spill. Since the project qualifies as a "coastal-dependent industrial facility," the Commission may approve the project despite its inconsistency with Section 30232 if the three requirements of the coastal-dependent industrial override provision can be met.

4.6.7.1 Alternative Locations

The first test of Coastal Act Section 30260 requires the Commission to find that alternative locations for the project are infeasible or more environmentally damaging. Mobil/Rincon propose to abandon an existing facility. Therefore, consideration of alternative project locations is not applicable.

4.6.7.2 Public Welfare

The second criteria of Coastal Act Section 30260 provides that the Commission may grant a permit for coastal-dependent industrial development despite inconsistency with other Coastal Act policies if to do otherwise would adversely affect the public welfare. The Commission believes that this test requires more than a finding that a project as proposed is in the interest of the public. Rather, the Commission must find that to deny a permit for the project would be harmful to the public welfare.

Without consistent maintenance, the pier complex will rapidly deteriorate, creating a substantial public hazard, particularly for surfers and other users of this popular public recreation area. In some cases, the public has had to accept financial responsibility for removing the hazards created by improperly abandoned offshore oil and gas facilities. In accordance with the terms of the state leases for the facility, the applicants are required to remove all portions of the Seacliff pier complex in order to prevent the facility from becoming hazardous to the public in the future. The Commission therefore finds that to not grant a permit for the removal of the Seacliff pier complex would adversely affect the public welfare. The proposed project therefore meets the second criteria of Coastal Act Section 30260.

4.6.7.3 Maximum Feasible Mitigation

The third test of Section 30260 requires a finding that the adverse environmental impacts of the project have been mitigated to the maximum extent feasible. As discussed in Section 4.6.1 of this report, the Commission has determined that the project is inconsistent with Coastal Act Section 30232 due to the unavailability of effective equipment and procedures to contain and cleanup an accidental oil spill. However, the Commission finds that the applicants are undertaking all available measures to prevent and respond to a spill and therefore the environmental impacts of the project have been mitigated to the maximum extent feasible. Thus, the proposed project meets the third and final test of Coastal Act Section 30260.

4.7 California Environmental Quality Act

Section 13096 of the Commission's administrative regulations requires Commission approval of CDP applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of the CEQA prohibits approval of a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant impacts that the activity may have on the environment.

As "lead agency" under the CEQA, the State Lands Commission certified Mitigated Negative Declaration ND680 for the proposed project on November 7, 1997, determining that the project will not result in any significant adverse environmental impacts within the meaning of the CEQA. The project as conditioned herein represents the least environmentally damaging feasible alternative and includes mitigation measures to avoid or lessen adverse environmental impacts to the maximum extent feasible. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with the resource protection policies of the Coastal Act and with the CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

Literature and Correspondence Cited

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Gress, Dr. Franklin.	Ph.D., Department of Wildlife, Fish, and Conservation Biology, University of California, Davis.
Keeney, Thomas.	Ecologist, Point Mugu Naval Air Station.
Lagomarsino, Irma.	Fisheries Biologist, National Marine Fisheries Service.
Lyons, Michael.	Chief of Surveillance Unit, Central Coast Regional Water Quality Control Board.
Nitsos, Richard.	Environmental Specialist, Marine Resources Division, California Department of Fish and Game.
Parker, David.	Senior Biologist, Marine Resources Division, California Department of Fish and Game.

APPENDIX B

STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the executive director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

Seacliff Pier Complex Abandonment Project
Execution Plan

PROJECT SITE LOCATION

Exhibit 1

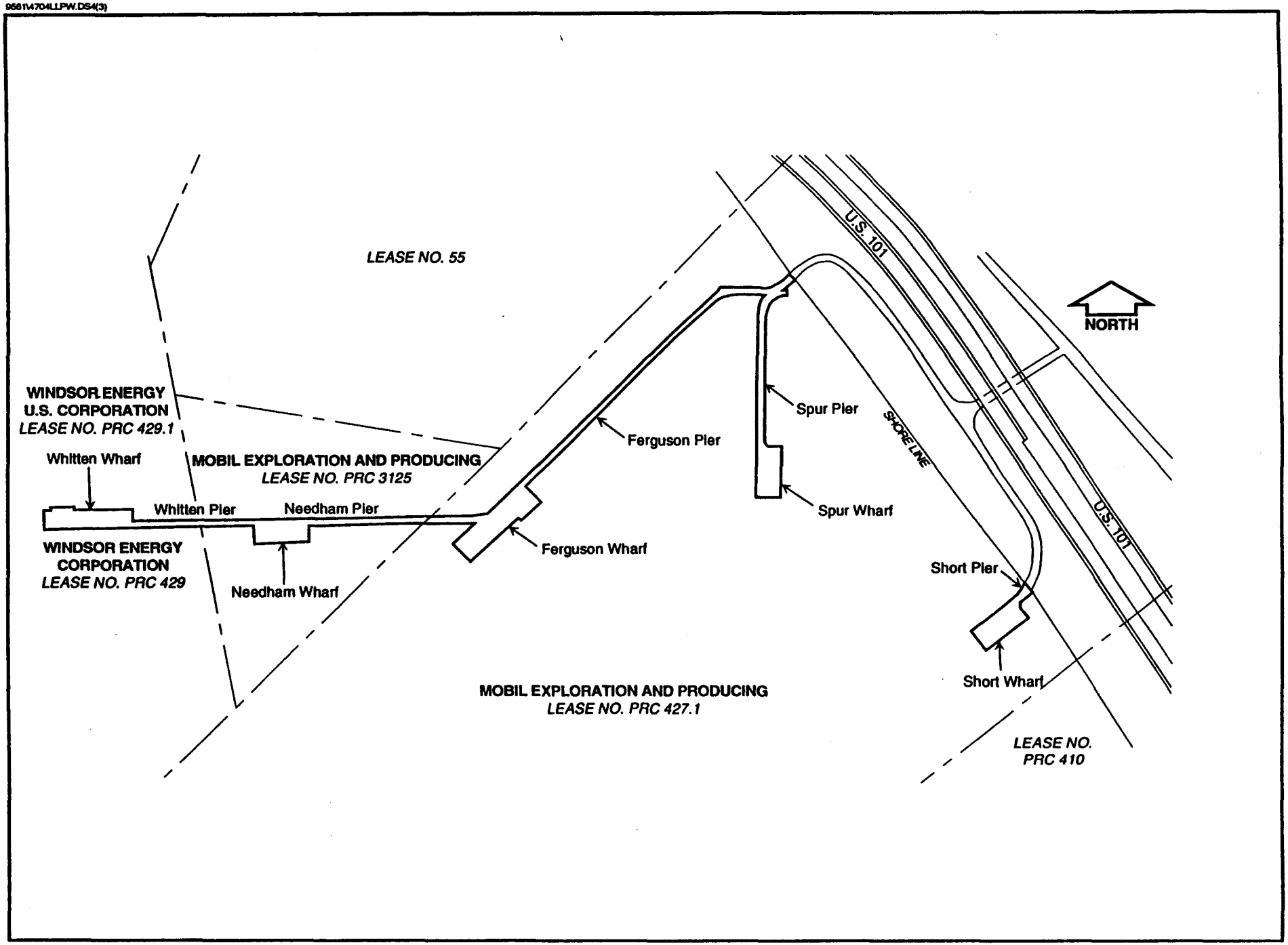
Seacliff Pier Complex Abandonment Project
Execution Plan

AERIAL PHOTOGRAPH

Exhibit 2

9561\14704LLPW.DS4(3)

Seacliff Pier Complex Abandonment Project
Execution Plan



LEASE LOCATIONS, AND PIERS
AND WHARVES TO BE REMOVED

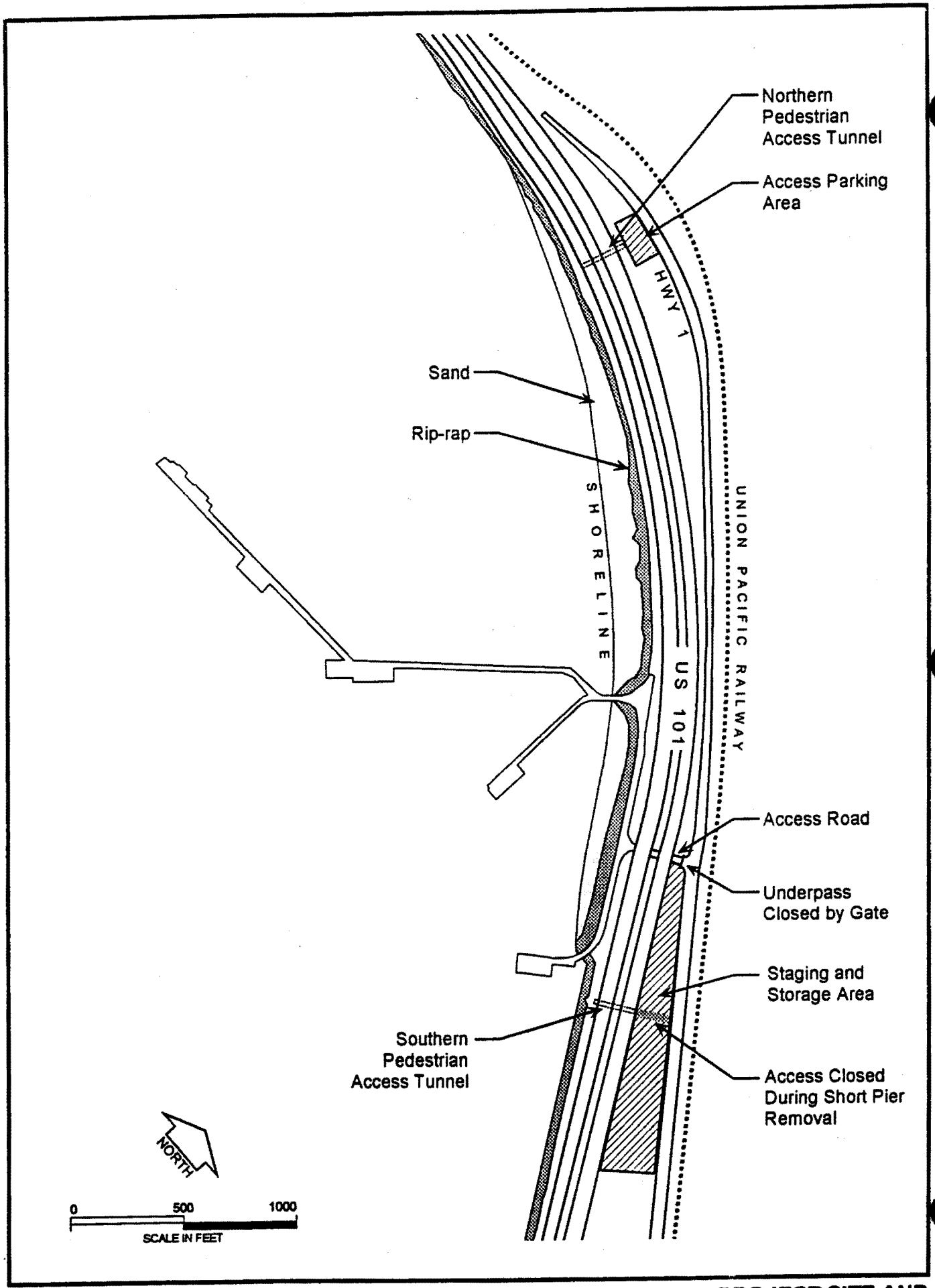
Exhibit 3

9561\4704SARA.DS4 (1-3)

Seacliff Pier Complex Abandonment Project
Execution Plan

STAGING AREA AND
RESTRICTED ACCESS LOCATION

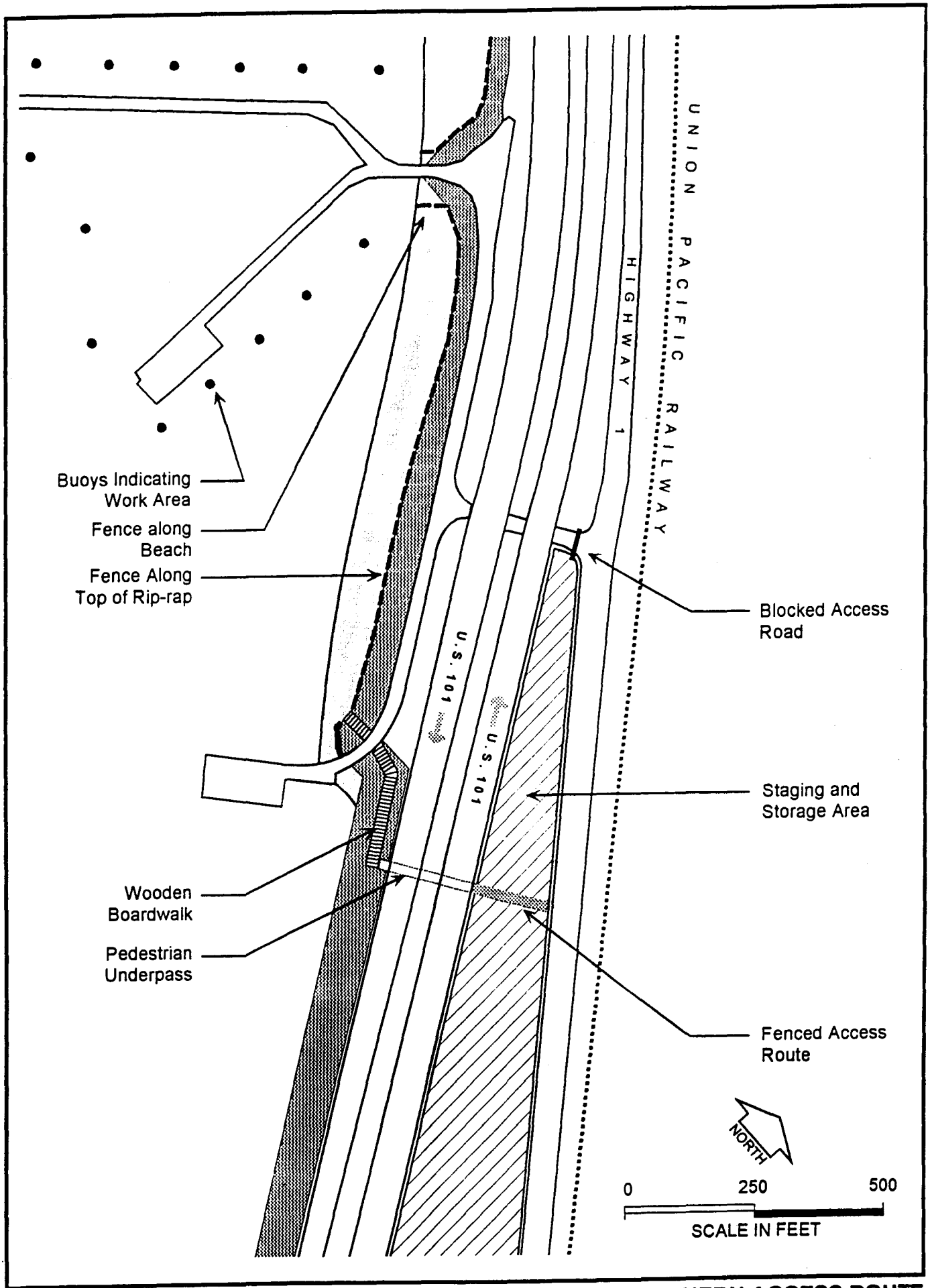
Exhibit 4



Seacliff Pier Complex Abandonment Project
Execution Plan

PROJECT SITE AND RELATED ACCESS ROUTES

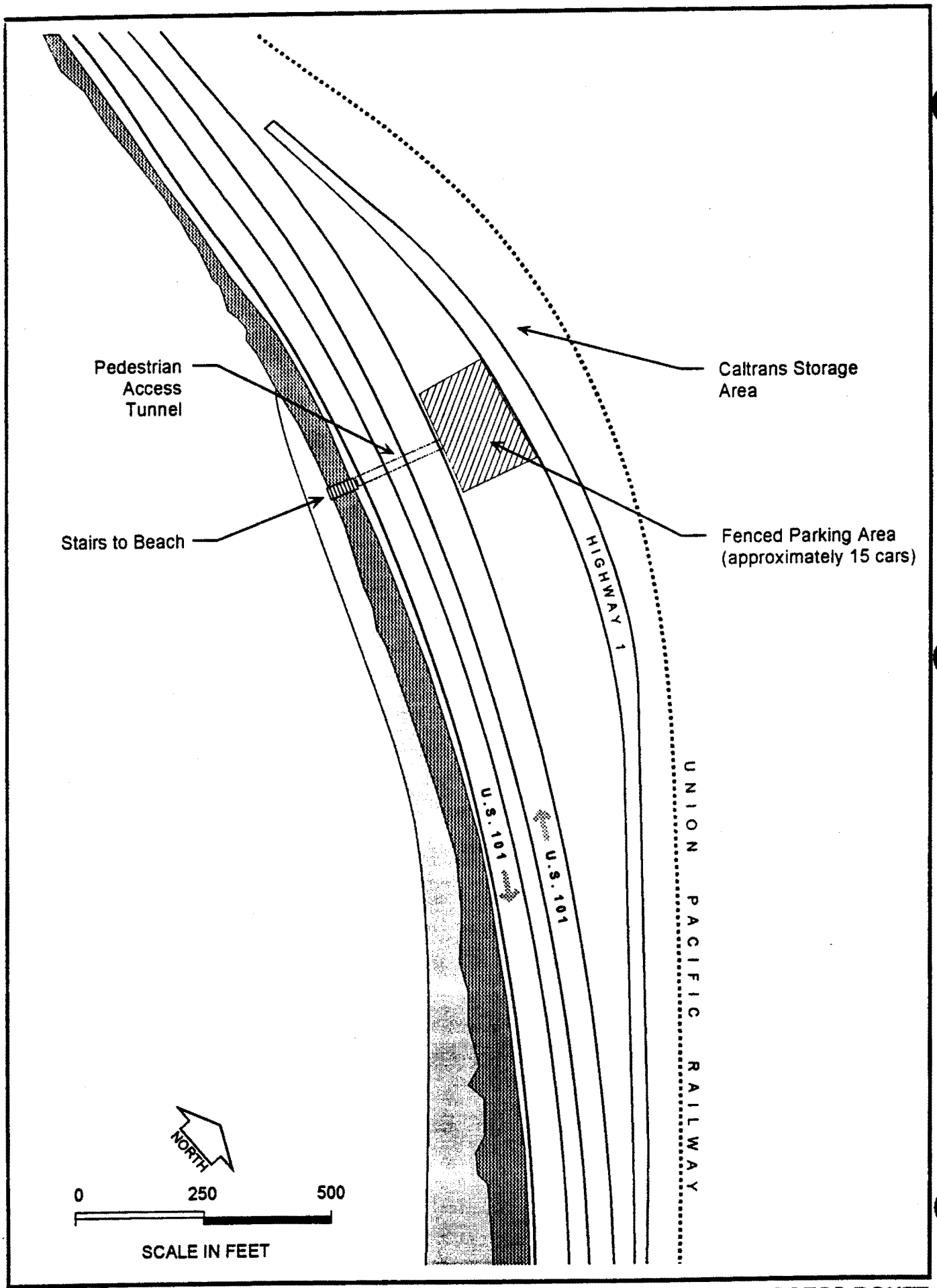
Exhibit 5



Seacliff Pier Complex Abandonment Project
Execution Plan

SOUTHERN ACCESS ROUTE

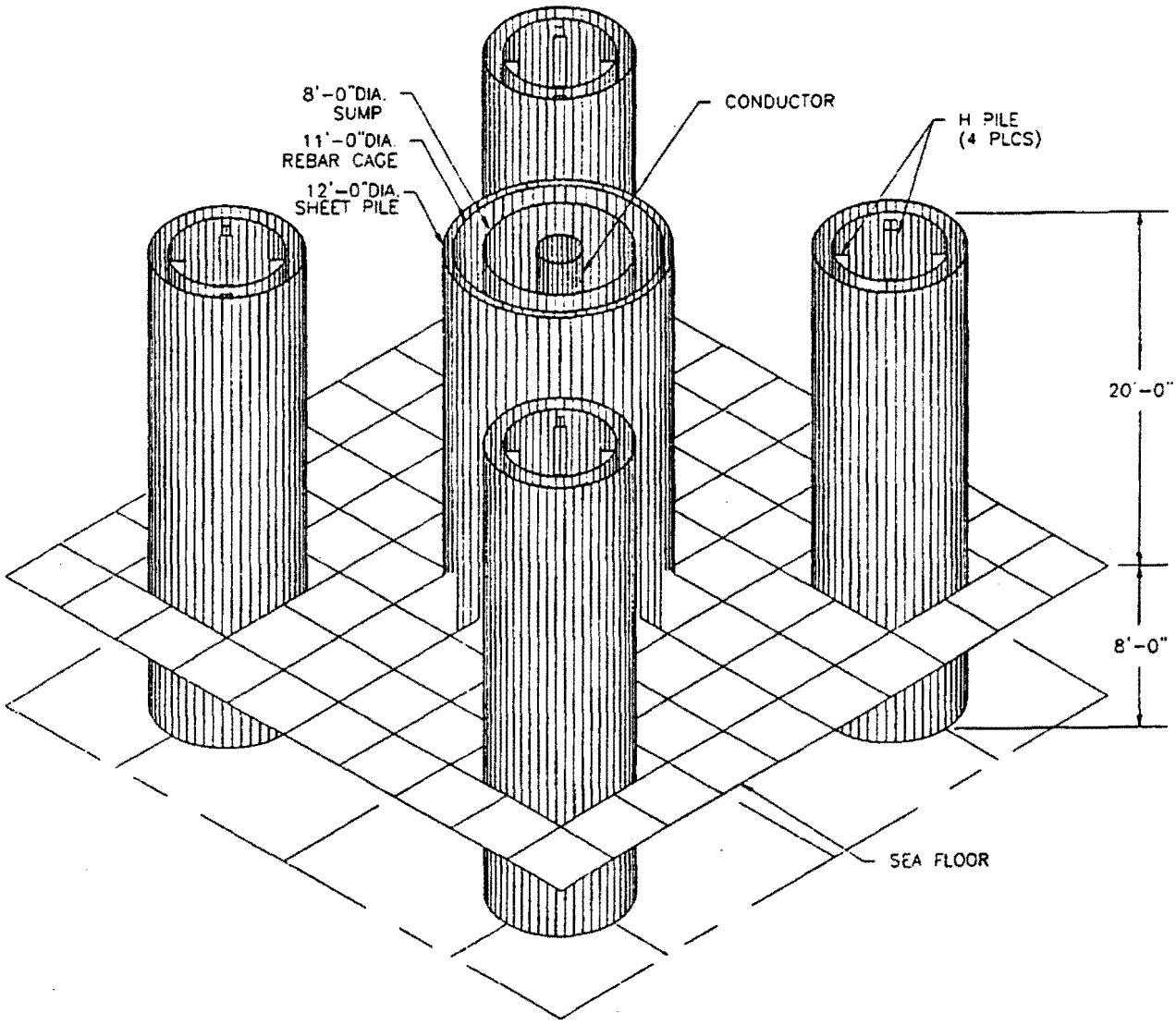
Exhibit 6



Seacliff Pier Complex Abandonment Project
Execution Plan

NORTHERN ACCESS ROUTE

Exhibit 7



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Seacliff Pier Complex Abandonment Project
Execution Plan

FERGUSON CAISSON
CONSTRUCTION

Exhibit 8